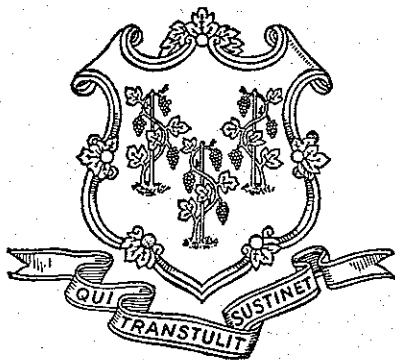


**Board of Parole
and
Parole Services**

**Connecticut
General Assembly**



LEGISLATIVE
PROGRAM REVIEW
AND
INVESTIGATIONS
COMMITTEE

January 1993

CONNECTICUT GENERAL ASSEMBLY LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 to evaluate the efficiency, effectiveness, and statutory compliance of selected state agencies and programs, recommending remedies where needed. In 1975, the General Assembly expanded the committee's function to include investigations, and during the 1977 session added responsibility for "sunset" (automatic program termination) performance reviews. The committee was given authority to raise and report bills in 1985.

The program review committee is composed of 12 members. The president pro tempore of the senate, the senate minority leader, the speaker of the house, and the house minority leader each appoint three members.

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**BOARD OF PAROLE
AND PAROLE SERVICES**

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JANUARY 1993

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EXECUTIVE SUMMARY

The Legislative Program Review and Investigations Committee voted in February 1992 to study the Board of Parole and parole services provided by the Department of Correction (DOC). With the legislative elimination of the department's supervised home release (SHR) program, parole will become the primary early release mechanism for sentenced inmates. The program review committee finds that the Board of Parole will not be able to process the increase in the number of parole eligible inmates and thereby meet the demands of DOC in managing its prison population based on current structure and policies. The committee also concludes a conflict of interest exists between the department's responsibility to manage its prison population and control the flow of inmates to the community supervision.

The committee adopted recommendations to remedy problems identified during the study. The proposed changes will have a significant impact on the responsibility, structure, and operation of the Board of Parole. The Department of Correction will also be affected in that its responsibility for community supervision for parolees will be shifted to the Board of Parole. The recommendations increase the board's capacity to handle the expansion of parole-eligible inmates, and create a system whereby effective community supervision policies can be developed and implemented.

RECOMMENDATIONS

1. **Two full-time vice-chairmen, each appointed by the governor with the advice and consent of either house of the general assembly, shall be added to the Board of Parole by July 1, 1994.**
2. **The Board of Parole shall be given the statutory authority to develop and implement regulations for an administrative hearing and review procedure for granting parole to eligible inmates without requiring a hearing by a three-member panel. However, any such administrative grant of parole must be approved by an affirmative vote of at least two of the board's full-time members.**

Inmates convicted of the following crimes shall be ineligible for an administrative review and shall require a hearing by a three-member parole panel:

- **all offenses resulting in a death;**
- **class A felonies;**
- **assault in the first degree and assault on a victim 60 years or older;**

- sexual assault in the first degree, aggravated sexual assault, sexual assault with a weapon, and sexual assault on a spouse or cohabitant;
 - robbery in the first degree;
 - any of the listed offenses committed while on probation or parole and serving a sentence for that offenses; or
 - class B felonies committed while on parole.
3. The chairman and two vice-chairmen shall be qualified by training, experience, and/or education in either law, criminal justice, parole, or other related fields for the consideration of the matters before them.
4. All terms shall be four years. The chairman shall be the executive and administrative head of the board and serve coterminously with the governor. The initial appointments of the two vice-chairmen and 10 part-time members shall be based on the schedule of terms as follows:
- one vice-chairman to two-year term;
 - second vice-chairman to three-year term;
 - five part-time members to two-year terms; and
 - five part-time members to four-year terms.

Appointments to fill vacancies shall be for the unexpired portion of the vacant term.

5. The board shall reflect the state's ethnic and racial diversity.
6. The following responsibilities shall be added to the Board of Parole's statutory powers:
- adopt such rules and regulations as deemed necessary for the internal affairs of the board;
 - adopt an annual budget and plan of operation;
 - submit an annual report to the governor and the legislature;
 - allocate resources as needed;

- establish an organizational structure with administrative and parole divisions;
- establish procedures to hire, dismiss or otherwise discipline or promote employees and board members subject, where appropriate, to provisions of the state's civil service system;
- establish policy for the alternative review practices on parole eligible inmates that do not require hearings by three-member panels including, but not limited to, the use of hearing officers; and
- develop policy for and administer the operation of the Interstate Parole Compact.

7. The chairman of the Board of Parole shall be responsible for:

- directing and supervising all administrative affairs of the Board of Parole;
- preparing the budget and annual operation plan in consultation with the board;
- assigning staff to parole panels, regions, and supervision offices;
- organizing parole hearing calendars to facilitate the timely and efficient process of cases;
- implementing a uniform case filing and processing system;
- establishing policy in all areas of parole including, but not limited to: (1) decision-making; (2) release criteria; and (3) supervision standards;
- establishing specialized parole units as deemed necessary;
- entering into contracts, in consultation with the board, with service providers, community programs, and consultants for the proper functioning of parole and community supervision;

- creating programs for staff and board development, training, and education; and
 - consulting with the Department of Correction on shared issues, such as prison overcrowding.
8. The Department of Correction shall assign at least one employee per institution, including Walker Reception Center, as an Institutional Parole Officer and identify those persons to the Board of Parole. In addition to other duties assigned by the correction commissioner, the Institutional Parole Officer shall be responsible for the following:
- compiling Department of Correction records and information in accordance with the Board of Parole's guidelines and requests;
 - preparing inmates for parole hearings based on the board's criteria and standards;
 - identifying parole eligibility dates for all inmates serving more than one year at the start of that sentence and providing those dates to the board;
 - arranging for and coordinating transportation of inmates to hearing locations;
 - assisting the parole panels during hearings at the institutions; and
 - assisting the Board of Parole in implementing release stipulations to community programs and services.
9. Connecticut General Statute Sec. 54-124b(b), mandating a caseload capacity limit of 25 parolees per parole officer, shall be replaced with a requirement that the chairman of the Board of Parole, in consultation with the full board and representative of parole officers, review and annually set parole officer to parolee caseload ratio goals.
10. Effective July 1, 1994, the Board of Parole shall have statutory responsibility for the supervision of all inmates residing in the community.
11. Effective July 1, 1993, the chairman of the Board of Parole and the commissioner of the Department of Correction, in consultation with representatives of the employees, shall develop a plan for the transfer of

funded positions and related staff from the Department of Correction to the Board of Parole.

- 12. By July 1, 1994, the chairman of the Board of Parole shall establish an organizational structure to direct the operation and administration of parole officers. The chairman shall also establish qualifications and standards for all parole officer positions subject, where appropriate, to provisions of the state's civil service and collective bargaining systems.**
- 13. Persons convicted of crimes committed on or after October 1, 1994, shall be subject to supervision for the full term of their court imposed sentences.**

INTRODUCTION

Parole is a conditional release of an inmate, under supervision, who has served part of the term for which he or she was sentenced to prison. In Connecticut, the Board of Parole is mandated to grant or deny parole. The board maintains the authority to revoke and rescind any parole granted. However, the Department of Correction (DOC) is responsible for the supervision of parolees within the community.

Scope of Review

The Legislative Program Review and Investigations Committee voted in February 1992 to study the Board of Parole and parole services provided by the Department of Correction. The scope of the study included the structure, administration, release decision-making process, and community supervision procedures of both the parole board and correction department. The study included a review of the department's supervised home release (SHR) program since the community supervision of SHR inmates and parolees is virtually indistinguishable.

Methodology

A variety of sources and research methods were used in conducting the study of the Board of Parole. State statutes, board and department policies, procedures, reports, and statistics were reviewed. Other states' systems and proposed changes from professional associations and groups were analyzed. Committee staff also attended parole hearings and toured the DOC community services regions.

Structured interviews were held with the staffs of the Board of Parole and Department of Correction. State and national experts from the legal and correction professions were also interviewed. The committee obtained input from the parole board, correction department, and interested parties at a public hearing held in September 1992.

Statistics from the United States Department of Justice National Institute of Corrections and the Connecticut Prison and Jail Overcrowding Commission were compiled and analyzed. In addition, the committee gathered and analyzed Board of Parole case file data from October 1990 through April 1992. Also, data on all inmates supervised by the Department of Correction under parole, SHR, or community release were supplied and analyzed for trends related to the supervision process.

Report Format

The report is organized into six chapters. Chapter I provides historical and background information on the development of parole and supervised home release. Chapter II describes the Board of Parole's organization and statutory authority. Chapter III contains a description of the Department of Correction's organization. The parole and supervised home release

decision-making processes are provided in Chapter IV, and Chapter V gives an overview of the community supervision process with emphasis on the role of the parole officer. The final chapter outlines the recommendations adopted by the program review committee to improve the parole system, including both decision-making and supervision.

Agency Comments

It is the policy of the Legislative Program Review and Investigations Committee to provide state agencies subject to a study with the opportunity to review and comment on recommendations prior to the publication of the final report. The responses to the committee's report from the chairman of the Board of Parole and commissioner of the Department of Correction are contained in Appendix B.

CHAPTER I

OVERVIEW OF PAROLE

History of Parole

The concept of parole was developed in the 1800s by leaders of the Irish and Australian prison systems. With the introduction of a system of graded security classifications, prisoners were expected to earn back their freedom by moving through increasingly less restrictive stages of confinement and supervision. The final stage, referred to as a "ticket-of-leave", was what is now known as parole. The "ticket-of-leave" placed certain conditions upon the inmate such as monthly reporting, maintaining regular employment, and refraining from associating with known criminals. Compliance with the conditions was checked through surveillance and violations resulted in reimprisonment.

Beginning with the Elmira Reformatory in New York in 1876, correctional systems in the United States started adopting the concept of parole along with other prison reforms. By the end of the 1940s, nearly every state had some form of a parole system. Among the most prominent reasons cited for adopting a parole system were: relieving the governor of the task of reviewing petitions for clemency; reducing overcrowding; and using parole as a tool to maintain order in prisons.

Although varying among the states, the authority to grant parole generally was located in one of three places: the governor's office, an institutional review board, or a central board overseeing all institutions. While the decision-making authority differed, the standards for determining parole suitability were consistent. The standards included:

- an inmate's conduct while incarcerated;
- the nature of the inmate's crime;
- an inmate's prior criminal history; and
- an inmate's general demeanor while at the parole hearing.

The conditions of a parole release included employment, monthly reporting, and "honesty, sobriety, and decency". The supervision of parolees was provided by such diverse groups as police chiefs, district attorneys, prison associations, employers, and citizen volunteers. Typically, an inmate who successfully completed six months of parole was released from the correctional system and it was then the governor's decision to restore full citizenship.

Beginning in the 1940s, parole policy was largely dictated by the rehabilitation model that dominated the nation's approach to corrections up until the 1970s. This model incorporated four

features: 1) a system which classified inmates into security levels; 2) treatment programs based on inmate needs; 3) indeterminate sentencing; and 4) discretionary parole release.

The primary connection between parole and the rehabilitative model was the indeterminate sentencing. Under this sentencing system a minimum and maximum term of incarceration was imposed. The time an inmate served beyond the court-imposed minimum was determined by parole authorities using the criteria previously cited.

In the 1970s, the nation's correctional system, including parole, increasingly came under attack from the public, legislators, and some criminal justice professionals. Parole decisions were found to arbitrary, unfair, secretive, and unreviewable. The assault on the system created a strong sentiment to shift away from a correctional philosophy stressing rehabilitation of the offender toward achieving retribution for the offense.

Responding to this pressure, many states changed from indeterminate to determinate sentencing and eliminated or restricted the use of parole. Under the determinate system a person is sentenced to a specific length of time rather than a minimum and maximum range. The reintroduction of determinate sentencing eliminated one of the major underpinnings of parole, deciding when and under what conditions an inmate was ready to return the community.

In response to the change in sentencing and philosophy, 13 states, including Connecticut, abolished parole during the 1980s. The movement was joined by the federal government, which scheduled a phase-out of parole by 1992. Many of the states that retained parole significantly limited its use. However, the trend to eliminate or curtail parole was stopped by the national prison overcrowding crisis that took hold late in the 1980s.

In fact, in the 1990s parole has been making a comeback. Due to the drastic increase in the number of persons incarcerated, states have been restructuring or reinstituting parole. Rather than being viewed primarily as part of a rehabilitative model, parole is now seen as one of several programs for reducing prison populations by releasing inmates to the community. As an alternative, parole is distinguished from other programs by the fact that it has more restrictive eligibility requirements.

Thus, although controlling prison overcrowding has not traditionally been a part of parole's mission, it has become a major focus in the 1990s. There are several reasons for this change. Principal among them are:

- pressure to keep institutions under legal capacity limits, which if surpassed would trigger automatic releases;
- legislative mandates to adjust parole guidelines for release; and

- informal mandates by governors to control prison populations.

Connecticut history. Beginning in the early 1900s when indeterminate sentencing was initiated, it was the responsibility of each of the state's prisons to establish its own parole board. The prisons were administered by boards of directors and wardens who appointed the parole board members. There were three parole boards, which acted independently of each other. In addition, each warden was responsible for employing a parole officer who supervised parolees for each institution.

In 1968, the General Assembly created a unified correction department and a single Board of Parole with release jurisdiction over all indeterminate sentences. The board was established as an executive branch agency and attached to the Department of Correction, which was required to provide administrative and fiscal support services.

The new Board of Parole was comprised of six part-time members and one full-time chairman appointed by the governor with the consent of the General Assembly. Board members were required to be qualified by training and experience for the parole decision process. The primary responsibilities of the board included: granting and denying parole; setting conditions of parole; declaring violations and revoking parole; granting discharge from parole; and proposing legislation important to the parole decision process. Supervision of parolees was the responsibility of the Department of Correction's Parole Division.

In 1980, legislation eliminating indeterminate sentencing (minimum and maximum lengths) for persons convicted of felonies greatly altered the state's parole system. The law, which took effect July 1, 1981, required fixed sentences (determinate sentencing) and parole was not available to inmates convicted under the new law. However, inmates serving indeterminate sentences were still eligible for parole and the board continued to process those cases. The role of the board was diminished because there were fewer inmates eligible for parole.

Introduced along with the restructuring of the parole system was an early release program called supervised home release (SHR). Through this program, discretionary release authority was shifted by legislative mandate to the Department of Correction. The SHR program, initially created as a replacement for parole, quickly became a mechanism for dealing with prison overcrowding.

However, problems in the program and persistent prison overcrowding caused the General Assembly to act again in 1990. The 1990 legislation added jurisdiction over determinate felony sentences to the Board of Parole's authority. At the same time the law established a schedule that called for the elimination of the supervised home release program by July 1993. As a result, in 1993, the Board of Parole will become the primary mechanism for releasing inmates into the community.

Paroling Authorities

Most state paroling authorities are established by statute with a few boards constitutionally mandated. In the majority of states (41), appointments to the board are made by the governor. However, in some states the correction department commissioner or judicial department head make the appointments. The number of members on any particular state parole board ranges from 3 to 15, with terms ranging from 2 to 7 years.

Appendix A-1 shows a breakdown by state of the characteristics of the paroling authorities. As shown, 31 of the parole boards are state agencies unto themselves and not part of a host department. In 17 states, the board is within the Department of Correction, and only two other states have placed their parole boards within other agencies: the pardons board and social services department.

Of the 50 paroling authorities, 30 are full-time professional boards, 14 are part-time, and 5 have full-time chairmen and part-time members. In 38 states, including Connecticut, the parole board is autonomous from and has no authority over the supervision field staff, commonly referred to as parole officers.

In 18 states, hearing examiners or analysts are used to review cases prior to the parole boards' hearing process. Connecticut and 21 other states have an open hearing process. The public, state officials, media, victims, and, in some cases, witnesses, are allowed to attend. It is a matter of policy or law that witnesses for or against the inmate can testify at these hearings, and this varies between states.

Parolee Populations

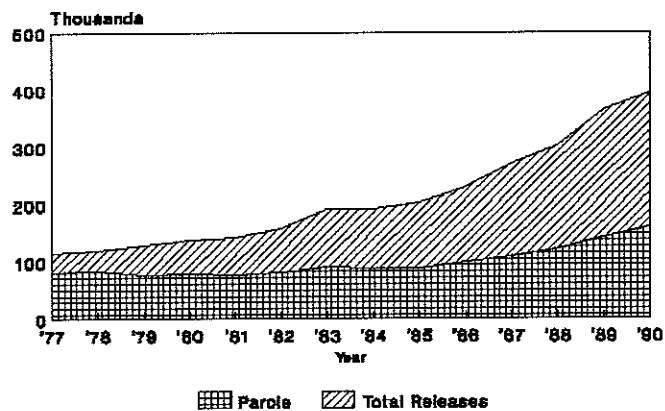
Although parole was abolished in several states for a period of time, national statistics show that it continued to be a widely used option. The United States Department of Justice estimates that in 1988, of the 3.7 million inmates under the custody of a state or federal correctional agency, 64 percent were on parole.

Table I-1 shows discretionary parole is still the most frequently used early release mechanism, accounting for approximately 40 percent or more of all releases between 1985 and 1990. The second most frequently used early release mechanism during the period was supervised mandatory release, which accounted for about 30 percent of all releases. Supervised mandatory release programs require that an inmate serve a specified portion of the sentence and then be placed in the community under the supervision of a correctional or state agency for the remainder of the sentence. The program differs from parole in that there is no independent decision-making process for approving or denying an inmate's release.

Table I-1. Nationwide Percentages of Inmates Released From State Prisons: 1985-1990.							
YEAR	TOTAL RELEASES	CONDITIONAL RELEASES			UNCONDITIONAL RELEASES		
		PAROLE	SUPERVISED MANDATORY	PROBATION	EXPIRATION	COMMUTATION	OTHER*
1985	203,895	43.2%	30.8%	4.5%	16.9%	0.4%	4.2%
1986	230,672	43.2%	31.1%	4.5%	14.8%	0.3%	6.0%
1987	270,506	40.6%	31.2%	4.4%	16.2%	1.0%	6.6%
1988	301,378	40.3%	30.6%	4.1%	16.8%	1.0%	7.2%
1989	364,434	39.1%	30.5%	4.4%	16.0%	0.2%	9.8%
1990	394,682	40.5%	29.6%	5.3%	13.1%	0.1%	11.5%
* Other category includes discharges under special procedures that include emergency release due to overcrowding. Approximately 93% of the "other" releases in 1990 occurred in only 5 states, including Connecticut.							
SOURCE: U.S. Department of Justice, Bureau of Justice Statistics bulletin 1988-1990.							

Figure I-1 represents the parole releases in comparison to the total releases from prison. During the 1970s, almost 75 percent of inmates throughout the nation were released on parole. As a percentage of the total releases, parole declined during the 1980s, which is a result of the nationwide phase-out of parole. However, parole releases continue to represent a significant portion of the total releases.

Figure I-1. Parole Releases Compared to Total Releases Nationally

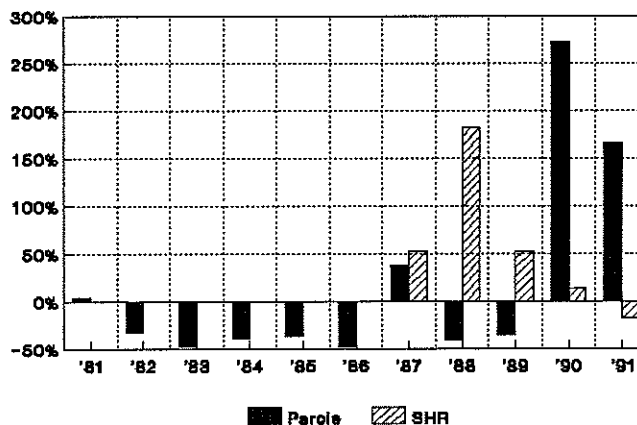


Source of Data: Bureau of Justice Statistics

Table I-2 shows the number of paroles granted and releases on SHR in Connecticut from 1981 through 1991. As shown, the number of inmates released on parole sharply declined in the 1980s from a high of 1,321 in 1981 to only 51 in 1989. In fact, from 1981 to 1989 the number of inmates granted parole decreased 96 percent. The decline was offset by the rapid increase in the use of SHR after its introduction in 1984. Figure I-2, which follows Table I-2, shows the percent changes of both parole and SHR for a 10 year period.

Table I-2. Population Levels for Institutions, Parole & SHR (1981-1991)					
		BOARD OF PAROLE		DEPARTMENT OF CORRECTION	
CALENDAR YEAR	TOTAL INMATE POPULATION	TOTAL PAROLES GRANTED	PERCENT CHANGE	TOTAL SHR RELEASES	PERCENT CHANGE
1981	4,869	1,321	+4.5	*	
1982	5,183	898	-32.0	*	
1983	5,379	473	-47.3	**	
1984	5,789	285	-39.7	**	
1985	6,252	179	-37.1	**	
1986	6,810	94	-47.4	1,616	
1987	7,376	130	+38.2	2,470	+52.8
1988	8,902	78	-40.0	6,961	+181.8
1989	9,589	51	-34.6	10,662	+53.1
1990	10,814	190	+272.5	12,068	+13.1
1991	11,022	506	+166.3	9,957	-17.4
* SHR did not begin until 1983. ** Data not available for 1983-85.					
Source: Board of Parole & DOC					

Figure I-2. GROWTH RATES FOR PAROLE AND SUPERVISED HOME RELEASE (FY 80-FY 91)



Source of Data: Board of Parole & DOC

CHAPTER II

BOARD OF PAROLE

The Board of Parole is located within the Department of Correction for administrative purposes. Its mission, in accordance with the state's sentencing statutes, is to determine when an eligible individual should be granted parole and what conditions to attach. In exercising its authority the board is statutorily mandated to:

- consider, review, and decide matters regarding parole, including medical paroles, at the state's prisons;
- establish rules and regulations for the release of inmates and set the limits and conditions for those inmates while on parole;
- rescind or revoke parole and order the return of inmates to prison with or without written warrant;
- discharge from the custody of the Department of Correction any parolee or inmate eligible for parole who will, as deemed by the board, lead an "orderly life". This release requires a unanimous vote of all members of a panel;
- appoint a special panel to review and decide requests for medical paroles as quickly as possible; and
- notify and allow victims of crime to appear before and make a statement to the board concerning whether an inmate should be released on parole or the terms of that release.

Composition of board. The board is composed of 11 members, including a chairman, who are appointed by the governor with the consent of either house of the General Assembly. Appointments are served coterminously with the governor. The chairman is the only full-time board member and serves as the administrative head of the agency. The chairman receives a salary; all other members are paid \$110 plus travel expenses for each day spent in the performance of their duties.

At the beginning of 1992, the board had 11 members. The board's composition consisted of nine whites, one African-American, and one Hispanic, among whom there were nine males and two females. Their backgrounds included business and finance, law, religion, education, and law enforcement. Their ages ranged from 37 to 75 years, with a median age of 53.

Currently, the board's membership has been reduced to eight due to the resignation of two members and the death of another. The racial composition is now eight whites and one Hispanic, and there are seven males and two females.

The board exercises its parole granting authority through three-member panels assigned to selected prison facilities. The panels are appointed by the chairman who generally serves as one of the three members. Each panel is the paroling authority for the institution to which it is assigned. At least two members of a panel must be present for a parole hearing to take place.

Resources. The Board of Parole has seven staff including: one assistant to the chairman of the board, two case analysts, a revocation hearing coordinator, and three secretaries. The assistant to the chairman of the board is responsible for the daily administration of the board, including scheduling hearings, maintaining case files, interviewing witnesses and victims, acting as a liaison between the board and the Department of Correction, and coordinating activities with other state agencies. The two case analysts are responsible for gathering all necessary information on parole-eligible inmates and maintaining the case files. They work with the institutions and other agencies, such as courts, probation, and police, to provide the board with sufficient information on an inmate to make a decision regarding early release. The analysts also act as secretaries during parole hearings. The revocation hearing coordinator is charged with scheduling all parole revocation and rescission hearings and compiling the information and files on the inmates or parolees. The coordinator acts as secretary to the board at the revocation and rescission hearings. In addition to these positions, the Board of Parole has three clerical positions and in FY 93 will add a records specialist position.

The board hires all staff and their expenses are paid out of the board's budget. The staff are included in the state's merit system under job classifications corresponding to those established for the Department of Correction. For example, the assistant to the chairman is classified as a correctional parole supervisor, and retains all the privileges accruing to that rank.

Table II-1 contains the board's expenditures and staffing levels for fiscal years 1987 through 1991. The table shows that spending, after rising in FY 88 and FY 89, fell sharply in

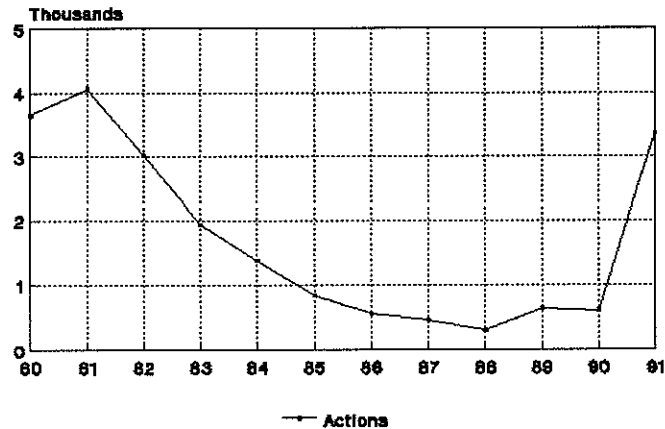
TABLE II-1. Board Of Parole Expenditures and Staffing.					
	FY 87	FY 88	FY 89	FY 90	FY 91
Personnel	\$140,081	\$144,921	\$171,387	\$78,016	\$143,033
Other	23,128	26,652	27,330	35,551	52,564
Total	\$163,209	\$171,373	\$198,717	\$113,567	\$195,547
Filled Pos.	4	3	2	3	5
Source: Governor's Budget Reports					

FY 90. Expenditures in FY 91 returned to a level consistent with the earlier years. The additional staff in FY 91 reflects the anticipated increase in the board's activity.

Caseload. Administrative actions taken by the Board of Parole between 1980 and 1991 are tracked in Figure II-1. Administrative actions include: paroles granted, denied, rescinded or revoked; continuances granted; temporary suspensions; reinstatements; waived hearings; and all other managerial actions taken on inmate cases. Figure II-1 shows the effect of curtailing the board's jurisdiction during the 1980s. The drastic increase in the board's activity level in 1991 coincides with the changes in the board's authority that were made by Public Act 90-261.

Table II-2 shows the increasing demands being placed on the board since it was given jurisdiction over inmates serving determinate sentences greater than one year. In 1990, the board operated for only three months, held 21 hearings, and took 612 administrative actions, which may or may not have resulted from hearings. In 1991, the number of hearings increased to 88 and the number of administrative actions jumped to 3,359. By the end of 1992, the board will have had 111 hearing dates. The demands on the board will continue to increase over the next few years as more inmates on determinate sentences become eligible for parole.

Figure II-1. Board of Parole
Number of Administrative Actions



Source: Board of Parole.

Table II-2. Board Of Parole Hearing Schedule and Actions.

	1990*	1991	1992**
Total Number of Hearings Held	21	88	111
Total Number of Actions Processed	612	3,359	3,507
* Board operated only from 10/90 through 12/90.			
** Actual and scheduled hearing dates through 12/92.			
SOURCE: Board of Parole.			

CHAPTER III

DEPARTMENT OF CORRECTION

While the Board of Parole is autonomous from the Department of Correction, the practices and policies of each agency have a significant impact on the other. First, the department assists the board by providing administrative support in areas dealing with fiscal and personnel matters. Second, the department serves the board by collecting and forwarding information on inmates eligible for parole, coordinating parole hearings within the prison routine, and, most importantly, providing the staff and resources for supervising parolees in the community.

Beyond logistical support, there are dynamics to the relationship between the Board of Parole and the Department of Correction that leave the two agencies highly interdependent. For example, the parole board's decisions affect the length of an eligible parolee's court-imposed sentence that is served in prison thus directly affecting the size of the prison population with which the Department of Correction must deal. In turn, actions taken by the department to alleviate overcrowding, such as increased use of its own supervised home release (SHR) program, may overburden resources needed to supervise inmates paroled by the board. For these reasons, a brief overview of the Department of Correction and its inmate release program will be presented.

Department of Correction

The Department of Correction is mandated to protect Connecticut's citizens by providing fair, humane, safe, and secure care, and by intervening to reduce the likelihood of recidivism and criminality of those sentenced to its custody. In working to achieve this purpose, the department operates 22 correctional institutions (prisons) and centers (jails) that vary in security levels. Two new prisons will be opened during FY 93, and several more are scheduled to be operational during the next few years. In FY 92, the average daily inmate population of the 22 institutions and centers was 10,832.

The department also funds various community correctional services and programs and provides supervision of inmates released to the community. On a daily basis, the average number of convicted offenders living in the community under the supervision of the Department of Correction was 7,290 in FY 92.

The current Department of Correction organizational structure is shown in Figure III-1. The department is headed by a commissioner appointed by the governor. The commissioner is assisted by three deputy commissioners each responsible for either institutional, community, or administrative services. There are seven divisions within the department: (1) institutional services; (2) programs and treatment; (3) community service; (4) health services; (5) planning and project management; (6) security; and (7) administrative services.

Community Services Division. The focus of the committee's study with respect to the Department of Correction is on its role in the supervision of parolees. This role is the responsibility of the department's community services division, which supervises all inmates, including parolees, who are released into the community to serve the remainder of the sentence. The stated objective of the division is to help integrate convicted offenders back into the community through a network of services and to protect the public through supervision of those inmates.

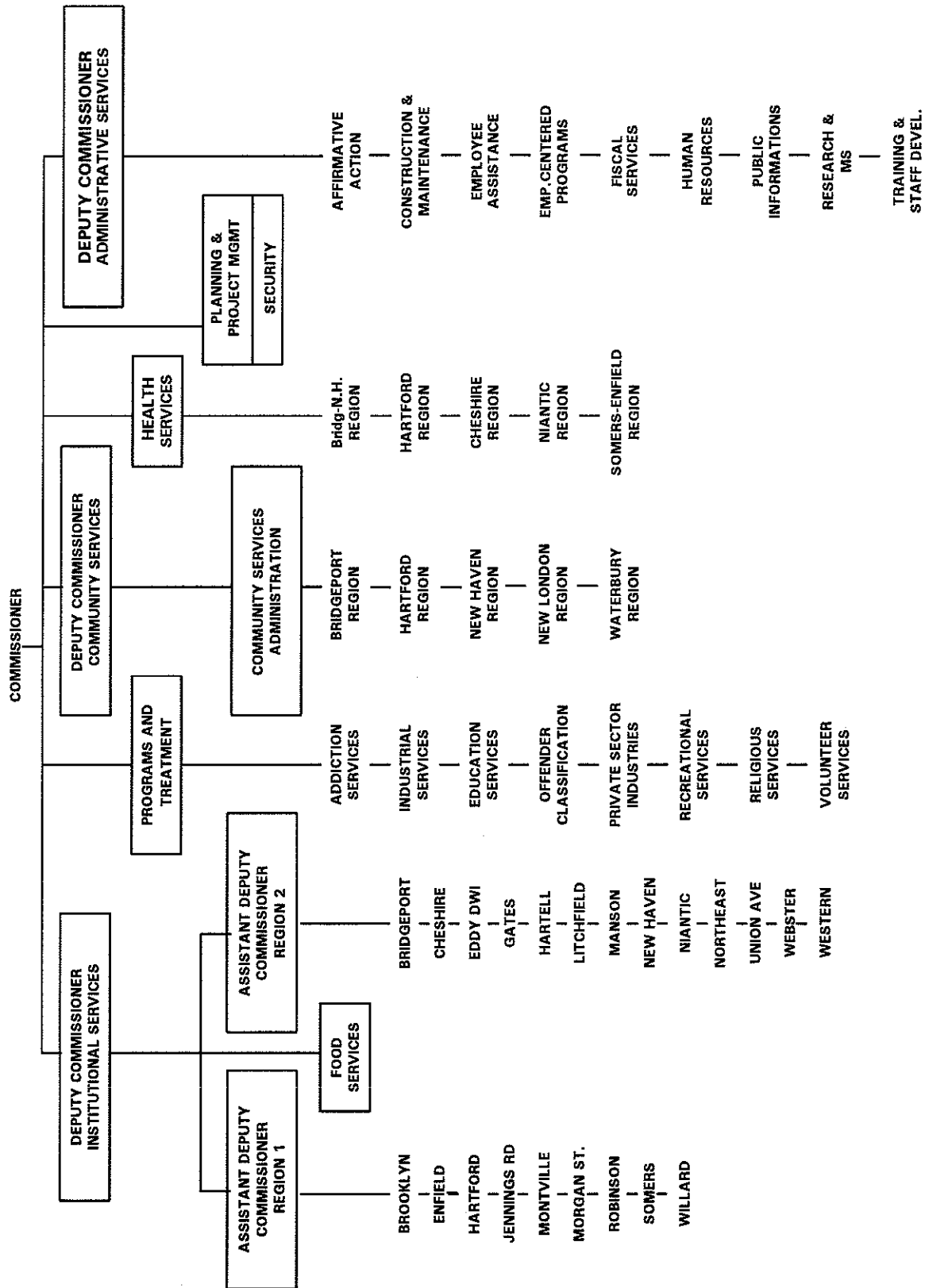
As shown in Figure III-1, the division is headed by a deputy commissioner who is responsible for all community services. Currently, this position is unfilled and the duties have been transferred to an administrator. The division operates in five regions: (1) Hartford; (2) New Haven; (3) Bridgeport; (4) Waterbury; and (5) New London. Each region has a parole unit, addiction services unit, and community contract services.

Budget and staffing data covering the division's operations in fiscal years 1987 through 1991 are presented in Table III-1. The table shows there has been considerable growth in the division's resources during the period. Expenditures are up 200 percent and staffing has increased 124 percent. Also during this period, the division's share of the department's budget has increased from 6.2 percent to 8.3 percent, while division's portion of total staff increased about 1/2 of 1 percent.

TABLE III-1. EXPENDITURES AND STAFFING OF THE COMMUNITY SERVICES DIVISION (FY 87 - FY 91)					
	FY 87	FY 88	FY 89	FY 90	FY 91
Expend. (in millions)	\$6.5	\$9.9	\$13.0	\$20.1	\$19.5
Filled Positions	76	123	226	233	170
Expend. (% of DOC)	6.2%	8.1%	8.7%	10.8%	8.3%
Staff (% of DOC)	3.0%	4.3%	6.8%	5.7%	3.4%
Source: Governor's Budget Reports					

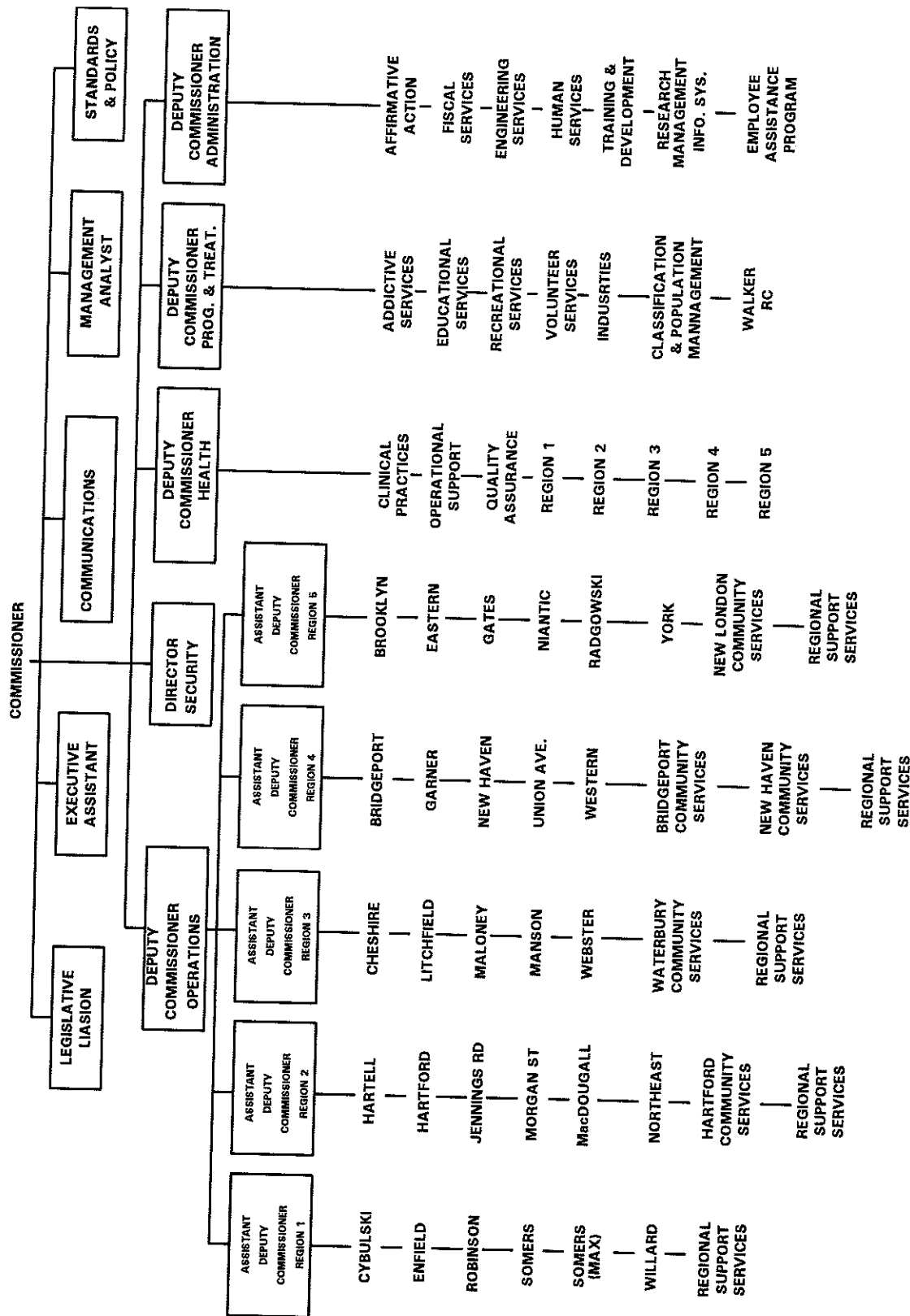
The organizational structure depicted in Figure III-1 was put in place in 1991. Its major feature with respect to the community services division was to consolidate the previously separate units for community services, parole, and addiction services. The overall purpose was to enhance various aspects of community release programs, such as: increasing the quality of supervision and services to parolees; improving levels of supervision and case management; promoting local resolution of regional issues and problems; and developing more local initiatives.

FIGURE III-1. DEPARTMENT OF CORRECTION ORGANIZATION CHART



However, the department recently initiated another reorganization scheduled to be completed by the end of 1992. The new structure shown in Figure III-2 merges the existing community services division, including parole supervision, community programs, and addiction services, into the five institutional regions. Under this structure each region will have one director who is responsible for both institutional and community services. Essentially, the new structure divides the department into two functions -- operations and administration. The structure consolidates responsibility for matters relating to all inmates, whether they are incarcerated or living in the community, under a single deputy commissioner.

FIGURE III-2. DEPARTMENT OF CORRECTION REORGANIZATION CHART



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CHAPTER IV

RELEASE DECISION-MAKING PROCESS

The decision to release a convicted criminal into the community before serving the full court imposed sentence is a volatile one. There are four early release programs -- (1) parole; (2) supervised home release; (3) community release, such as work release and halfway house residence; and (4) furlough. Table IV-1 identifies the objective release authority, supervisory authority, and release conditions of each program. The table shows that, except for parole, the

Table IV-1. Early Release Criteria and Supervision Responsibilities.				
PROGRAM	RELEASE AUTHORITY	CRITERIA	SUPERVISION AUTHORITY	CRITERIA
Parole	Board of Parole	<ul style="list-style-type: none"> •serve applicable portion (10%, 25%, or 40%)* or mandatory portion of sentence; •be within 3 years of release or voted to parole; •no disciplinary record or escape within specified period of time; •not convicted of ineligible crime; 	DOC community program staff	<ul style="list-style-type: none"> •abide by standard parole conditions; •abide by special parole stipulations; •report to parole officer
SHR	DOC	<ul style="list-style-type: none"> •serve 25 % of sentence •serve mandatory sentence; •be within 3 yrs of release or voted to parole; •no disciplinary record or escape within specified period; 	DOC community program staff	<ul style="list-style-type: none"> •abide by standard DOC release conditions; •follow any special release stipulations set by DOC; •report to a parole officer
Community Release	DOC	<ul style="list-style-type: none"> •same criteria as SHR 	DOC community program staff	<ul style="list-style-type: none"> •abide by standard DOC release conditions; •abide by program rules;** •maintain regular employment or treatment;
Furlough***	DOC	<ul style="list-style-type: none"> •security level 3 or lower; •served majority of sentence; •no disciplinary reports within specified period; •complete a series of successful furloughs to be granted longer furloughs 	no department supervision, but may have community sponsor	<ul style="list-style-type: none"> •return to prison at prescribed time; •no misconduct or crime; •abide by furlough rules and conditions
<p>* In accordance with statute, the phase-out of SHR program will follow a schedule restricting inmates from release prior to serving a mandated portion of their sentence.</p> <p>** Community release program rules are set by the DOC and those programs contracted for and funded by the department.</p> <p>*** Furlough is a temporary release of usually no more than 72 hours.</p>				

authority to release a convicted offender into the community rests with the Department of Correction. In this respect, the parole board provides the only independent review of an inmate to determine his or her suitability and security risk prior to release.

The statutes require an early release of inmates in the case of a prison overcrowding emergency. An emergency occurs if a prison exceeds its statutory capacity limit of 110 percent for a period of 30 days. Under this condition the commissioner can reduce the parole eligibility dates of inmates by 90 days. The commissioner can also reduce, at a schedule set out in statute, the maximum length of both determinate and indeterminate sentences. To date, the emergency release of inmates due to overcrowding has never been implemented.

An important distinction among the various early release programs is that any inmate released to the community by the authority of the Department of Correction remains in the custody of the department. Those released by the Board of Parole are placed under the jurisdiction of the board but supervised in the community by the Department of Correction.

The concerns underlying the early release decision differ between the Board of Parole and Department of Correction. The focus of the Board of Parole's decision is the risk to the community posed by the inmate's release and retribution for the committed offense. In contrast, the Department of Correction must balance public safety concerns with the size of the prison population. Of course, the Board of Parole is not indifferent to prison overcrowding nor is the Department of Correction oblivious to community safety issues. These factors clearly are weighed by both in making their release decisions.

As stated earlier in this report, the two major early release programs are parole and supervised home release. As Table IV-1 on page 19 shows the two are inversely related and in a sense substitute for each other. Beginning in July 1993, with the elimination of supervised home release, parole will be the main early release mechanism for prison inmates. Due to the interactive effect of the two programs, each will be described in detail, starting with parole.

Parole

Eligibility. The Board of Parole has the sole authority to parole persons from the state's correctional institutions who meet eligibility criteria specified in state statutes. The board's jurisdiction extends over inmates serving the following:

- an indeterminate felony sentence, with a maximum and a minimum length, for a crime committed prior to July 1, 1981, (and the inmate has completed at least the minimum term imposed by the court less all earned good time);
- a determinate felony sentence of more than one year and who was incarcerated on or after October 1, 1990, (and the inmate has completed at least one-half or the mandatory portion of the sentence imposed by the court less all earned good time); and

- several sentences of less than one year for which the total is greater than one year.

The Board of Parole is prohibited from releasing any inmate convicted of murder (capital, felony, arson, or regular) committed on or after July 1, 1981. Also, any inmate convicted of an offense that involves a mandatory minimum sentence that cannot be suspended or reduced by the court will not be eligible for parole until the completion of the mandatory minimum sentence or 50 percent of the imposed sentence not including reductions for good time, whichever is greater. For example, a conviction for the sale of narcotics by a non-dependent requires a mandatory minimum five-year sentence. Thus, any inmate under this sentence would not be eligible for parole until five years were served (less all earned good time), or half the court-imposed sentence was served, if greater than five years.

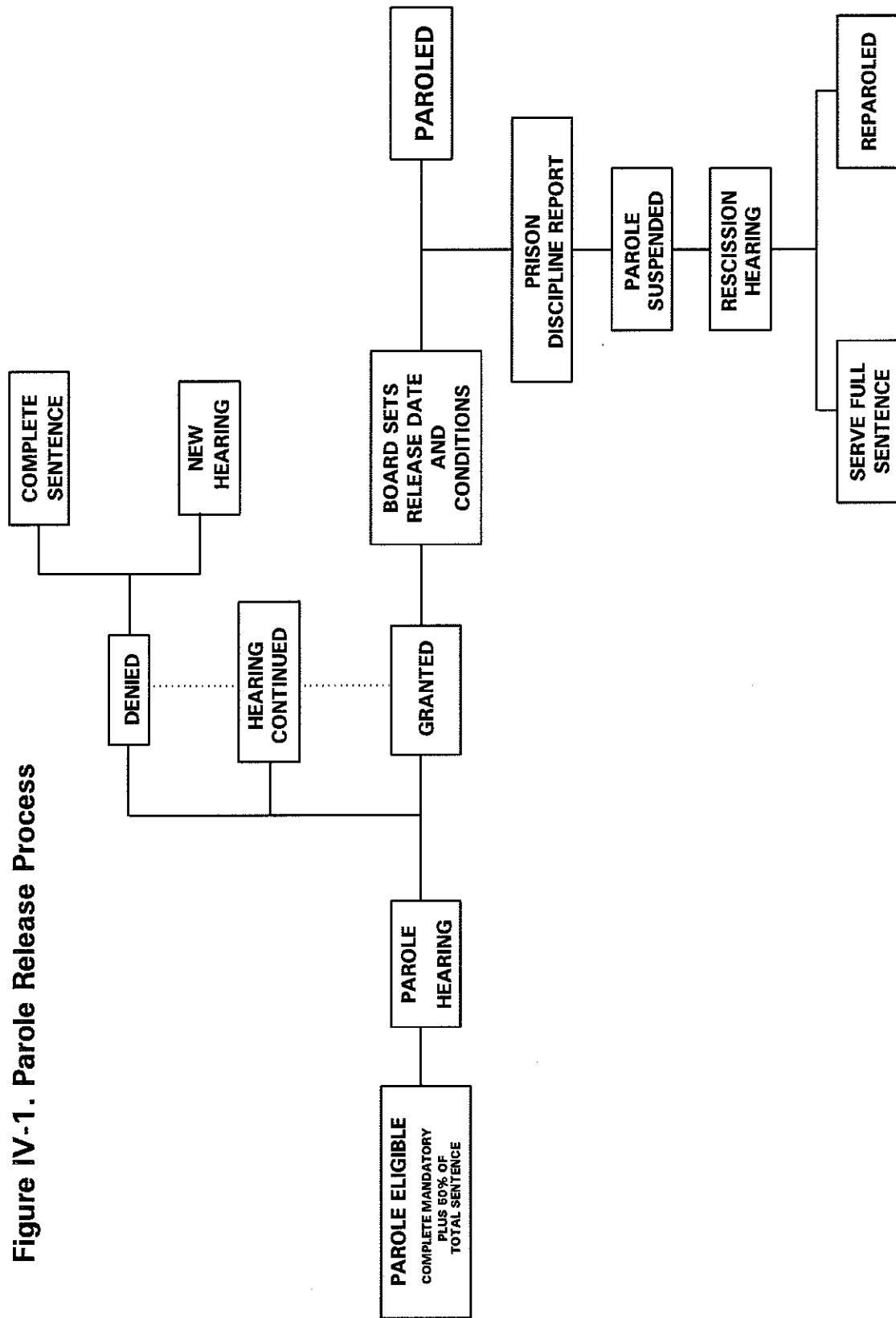
Figure IV-1 outlines the parole release process. The administrative process of identifying parole-eligible inmates, compiling and maintaining case files, and scheduling hearings, revocations, and rescissions, are the responsibility of the Board of Parole, with assistance from the Department of Correction. The department forwards information regarding the inmate, provides hearing facilities at the institutions, arranges for correctional officers to assist at the hearings, transports inmates, and provides any other service required by the board, such as mental health evaluation, counseling, arranging for inmates' release in accordance with the parole stipulations, and assigning parole officers.

The current process for determining an inmate's parole eligibility is lengthy and cumbersome. The process is not automated and involves multiple calculations by both the board and department. Once a final group of eligible inmates is determined, hearings are scheduled up to four months in advance of the actual parole eligibility date.

Prior to the hearing, a parole package is compiled on each inmate. The file normally contains the following:

- the original parole application;
- institutional records pertaining to the inmate's disciplinary reports and penalties, transfers among institutions, participation in programs and rehabilitation treatment, work assignments, and release programs (furloughs and supervised home release);
- a pre-sentence investigation report filed by the Office of Adult Probation, which contains a detailed description of the crime and victims' response;
- a mental health evaluation;

Figure IV-1. Parole Release Process



- criminal history and sentencing information, including any prior paroles or probations;
- information attesting to the character of the inmate, usually from family members, spouses, sponsors, and/or friends and information against the inmate from victims, witnesses, family, and law enforcement;
- documentation of previous actions taken by the Board of Parole in regard to the inmate; and
- any other information that may assist the panel in determining the inmate's suitability for parole.

The majority of this information is compiled by the prison and forwarded to the Board of Parole. There is no consistency or uniformity as to the type and quality of information sent to the board. Therefore, in addition to gathering parole information, the board must complete the inmate package sent from the prison. A parole hearing is not held if the inmate's case file is incomplete.

Hearings. Hearings are held at the prisons and are scheduled for Tuesdays and Thursdays of each week. The chairman of the Board of Parole assigns the other members to the panels that will conduct each hearing and, if necessary, assigns an acting chairman.

Inmates are scheduled for hearings approximately four months prior to their parole eligibility dates. Rescission and revocation hearings can also be on the agenda for a particular date. The inmates who are going to appear are transported to the selected facility if it is not where they reside.

The hearings are open to the public; however, only victims or their families can testify. Other interested parties can meet with the chairman of the board at the board's administrative office prior to the hearing, and express any concerns or positive information regarding the inmate. The panel members are informed of any information received by the chairman.

At the hearing the inmate is questioned and given the opportunity to speak on his or her behalf. The panel members can also question the witnesses. The inmate is given the choice to remain during victim testimony or to be escorted from the hearing room. Inmates cannot address the witnesses.

When the hearing is finished, the panel votes to go into executive session and excused from the hearing room are the inmate, any members of the public, and the victim if in attendance. Any action by the panel requires a majority vote of two members. As shown in Figure IV-1, disposition of a parole hearing can be to grant or deny parole or to continue the hearing to a later date. In general, an inmate may be released on parole if: (1) it appears from

all available information that the inmate can live in the community without violating the law, and (2) the release of the inmate is not incompatible with the welfare of society.

As required by statutes, terms and conditions are imposed upon parolees by the Board of Parole. The terms and conditions may include personal reports to be submitted by the parolee, and limit a parolee's residence, which can be changed at the discretion of the panel. The parolee is required to contribute to the cost of his or her residential living arrangement, if a fee is imposed. A parolee remains in the legal custody and control of the Board of Parole until the expiration of the maximum term sentenced by the court.

Hearing outcomes. If parole is granted, the panel sets the release date and the special stipulations the inmate must follow to successfully complete parole. The stipulations are established to address any special concerns or needs of the inmate, such as addictive or mental health treatment, employment, residence, or to ensure the inmate does not have contact with any victims or co-defendants. The board normally stipulates that an inmate will be returned to incarceration at the first sign of drug or alcohol use or criminal activity.

The Board of Parole has 11 standard conditions that every inmate released on parole must follow. The individual must report to a parole officer upon release and thereafter in person or in writing as directed. In addition:

- a parole officer has the right to visit the residence and place of employment of the parolee;
- the parolee must maintain employment or other activity approved by a parole officer, and notify the officer within 48 hours of changes in residence, employment, or marital status, or an arrest for any offense;
- the parolee is prohibited from possessing firearms, weapons, or ammunition, and cannot leave the state without permission from a parole officer; and
- the parolee must obey all laws and fulfill any legal obligation, and is prohibited from possession and use of any illegal drug or narcotic.

Release of an inmate is based upon the conclusion that there is a reasonable probability the inmate will live and remain at liberty without violating the law and release is not incompatible with the welfare of society. In the event the inmate engages in conduct that renders this conclusion no longer valid, parole is revoked or modified accordingly.

Denial. If parole is denied, the panel provides reasons. The specific reasons for denial can be categorized as relating to either risk factors or not enough time served of the sentence. The Board of Parole has 12 standard reasons for denying parole. They include:

- the seriousness of the offense, which may have resulted in the loss of life;
- the degree of violence and lasting injury to the victim;
- the extensiveness of the inmate's criminal history, escalating in nature and repetitive in pattern;
- the inmate's lack of participation in rehabilitation programs;
- the inmate's poor performance while previously on community release programs;
- the commission of the present offense while on probation, parole or community release status;
- the inmate's poor adjustment to institutional authority;
- the inmate's failure to make significant effort to cope with unresolved addictive problem;
- the inmate's involvement in activities similar in nature to offense;
- a belief that release to parole would diminish the extreme seriousness of the offense;
- no reasonable probability the inmate would live and remain at liberty without violating the law; and
- the release would not be compatible with the welfare of society.

The parole panel can set a new hearing date, usually a year from the present date, or refuse the inmate another hearing, which may cause the inmate to serve the remainder of the sentence in a correctional facility. When the panel denies a new hearing date, it has determined that the inmate is not and will not be suitable for parole, and that incarceration is the best possible situation for that inmate. There is no appeal process for a parole denial.

Continuance. The third action the board can take on a particular case is to continue the hearing due to insufficient information, to gather additional information, or to allow the inmate to complete a program, develop a parole plan, or serve some additional part of the sentence. A continuance does not constitute a denial even though a parole release date is not set. The panel can make recommendations to the inmate for certain behavior that will strengthen the decision to parole at a later hearing.

Once a decision has been reached, the inmate is returned before the panel and is informed of the disposition. If granted, the parole stipulations are given to the inmate, at which time the inmate can accept or reject the offer of parole. If denied or continued, the reasons for the disposition and any recommendations are read to the inmate. The next hearing date is scheduled or the inmate is informed that no date will be set. There is no appeal process for a parole denial or continuance.

An analysis of a sample of parole cases (n= 312) from the period October 1990 through April 1992 found the most frequent action taken by the Board of Parole was to continue a case until a later date (38 percent). In comparison, the board granted parole in 30 percent of the cases and denied it in 22 percent. The remaining 10 percent of the cases were administratively closed because the inmate was previously released on SHR or waived the right to a parole hearing.

The primary reason cited for continuing cases was the failure of the Department of Correction to provide complete parole packages, which contain all inmate information relevant to the parole decision-making process (58 percent). None of the other reasons represented a significant percentage of the total. Inmate transportation problems accounted for 3.2 percent of the continuances, pending criminal charges or disciplinary reports, 9.5 percent, and failure or refusal of the inmate to appear at the hearing, 8.4 percent.

For many reasons, the Department of Correction has failed to consistently produce complete parole packages on its inmates. The primary reason cited has been the workload associated with processing inmates for release under the supervised home release program. Put simply, assembling documentation associated with SHR, which is run directly by the department, has a higher priority than parole.

The Board of Parole contributes to the problem by not having clear criteria or standards as to what information is needed. With the increasing use of parole, the board developed its review practices as it went along rather than initially set policy and criteria. As the board's review process became more refined, the quality of information needed was raised. However, the board has been unable to stress the importance of its need for inmate information to the Department of Correction staff responsible for generating the files.

The lack of parole packages has also had an impact on the board's hearing schedule, in that it has been forced to cancel hearing days. In some instances, the department generates a large number of SHR cases in an effort to remain under the federal capacity limits. This push

to complete documentation forces institutional staff to work solely on supervised home release. Parole packages are not completed and hearings are cancelled.

Rescission. Once approved for parole, an inmate is under the jurisdiction of the Board of Parole. The board retains the authority to cancel a parole release through the rescission process. Again, as shown in Figure IV-1, the board may rescind parole when an inmate receives a disciplinary report from the institution, is involved in any criminal activity prior to release, or the board receives information that directly affects its decision.

In the event of a rescission, a hearing is held to review the violation reports or new information. The inmate is present at the hearing and is afforded all due process rights including: assistance of counsel; cross examination of persons and review of documents; and ability to present witnesses. Most inmates do not exercise these rights, but a formal hearing is held.

The board has four dispositions available for a rescission hearing: (1) rescind and subsequently reinstate parole; (2) require the inmate to serve more time prior to a new hearing date; (3) not rescind the parole; or (4) rescind parole and set no new hearing date. Inmates who are allowed to remain on parole can be given additional stipulations to address certain problem areas of the release.

Parole Caseload

Board's capacity. An increase in the parole-eligible inmate population will be caused by the elimination of the department's supervised home release program. When this occurs in July 1993, parole will become the only means of early release from prison for all inmates serving one or more sentences of greater than one year.

Currently, the parole board schedules about three panel hearings per week. On average, a panel can hear 15 inmate requests for parole per hearing date. Thus, as it currently operates, the board can hear about 180 cases a month.

The program review committee reviewed data on all inmates under the supervision of the Department of Correction who were residing in the community on a selected date. On that date, there were 5,344 such inmates. SHR accounted for 4,424 (82.8%); parole, 585 (10.9%); and the department's community release program, 335 (6.3%). The number of inmates with court imposed sentences of more than one year was 4,969 (92.9%). Of this number, 4,349 had been placed in the community within the preceding year. This figure is important because it is a good estimate of the number of inmates the board will have to release annually to enable the department to stay within its incarceration capacity.

Of course, the number of cases the board must hear to achieve this figure is considerably higher, because it does not release every inmate appearing before it. A review of the board's decisions found an inmate's probability of being granted parole at his or her first appearance was

approximately 30 percent. Based on the portion of parolees released within a year of the snapshot date ($4,389 \times .109$), the board would have to hold approximately 1,600 parole hearings annually, or about 130 per month, to produce the number of parolees found in the snapshot data.

Hard data were not available to estimate the case hearings required to produce the number of inmates released under SHR within a given year. In developing this estimate the staff relied on two facts: 1) as a group, the inmates on SHR had much less serious crime profiles than parolees; and 2) the board's primary reason for denying parole was the seriousness of the offense. On this basis, the committee assumed the board would have a much higher rate of approval (80%) for inmates having an SHR type profile. Using the same technique as employed in estimating the parole cases, the committee projected that the board would need to review approximately 4,500 SHR-type cases annually, or 375 per month, to enable the Department of Correction to stay within its current capacity.

Combining the parole and SHR estimated approval rates, the committee projects the board needs the capacity to review a minimum of roughly 500 inmate cases per month if the state is to stay within its prison capacity. This leaves a gap of 320 cases between the board's current estimated monthly capacity of 180 cases. This projected caseload and the parole board's ability to process it are addressed by committee recommendations in Chapter VI of this report.

Supervised Home Release

Supervised home release was designed to replace parole, which was legislatively eliminated in 1981. Now, with the re-institution of parole, SHR is being phased out and will be eliminated in 1993.

Under the supervised home release program, inmates are released to an approved community living arrangement, which is normally the inmate's home residence. The program, designed to reduce prison overcrowding, was begun in 1983.

The commissioner of the Department of Correction, within specified statutory limits, has discretion to determine eligibility for release on SHR. Wardens of the institutions where the inmates are incarcerated actually select inmates for participation in the SHR program. Figure IV-2 shows the SHR decision-making and release process.

An inmate must meet the following criteria to be eligible for release on SHR:

- be within 36 months of the normal release date;
- have served at least 25 percent of the court-imposed sentence for a crime committed after September 30, 1991, but before September 30, 1992, or have served 40 percent of the court-imposed sentence for a crime committed after September 30, 1992;

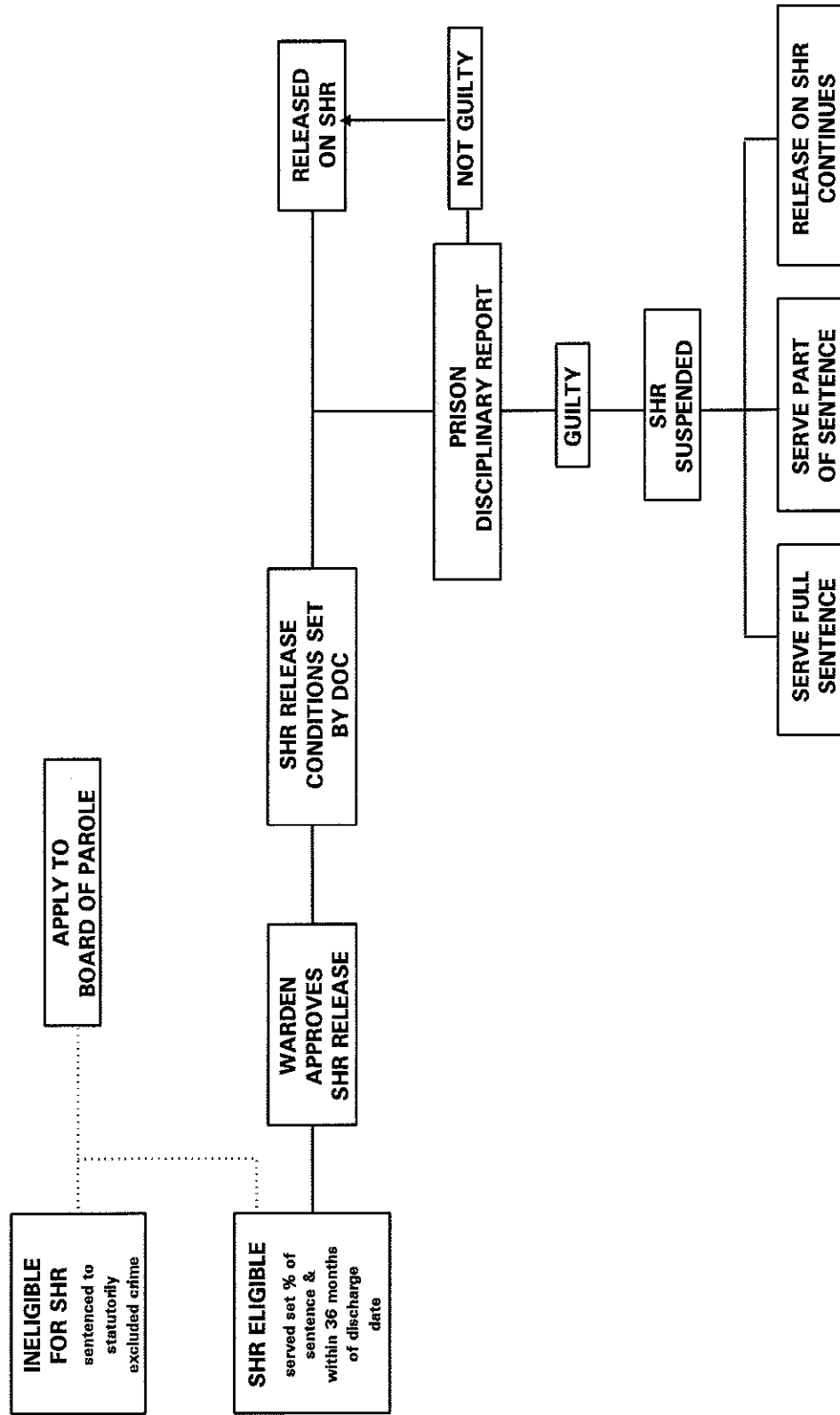
- be convicted of a eligible offense (described below);
- have served the mandatory minimum nonsuspendable portion of his or her sentence;
- have served two years or more after an escape or attempted escape;
- have served one year or more after a return to incarceration for violating a condition of an earlier release or 25 percent of new sentence; and
- must be free of serious disciplinary violations for at least 120 days, and free of less serious disciplinary violations for at least 90 days.

Serving the mandatory minimum sentence and 25 percent of the sentence criteria cannot be waived without the authority of the chief state's attorney, attorney general, and chief court administrator. However, since the inception of the SHR program, the commissioner has authorized the waiver of all other rules if the inmate is within 120 days of his or her release date or for special circumstances.

Inmates and youthful offenders convicted of the following offenses are not eligible for release on SHR:

- class A felonies;
- all offenses resulting in a death;
- assault in the first degree and assault on a victim 60 years or older;
- sexual assault in the first degree, aggravated sexual assault, sexual assault with a weapon, and sexual assault on a spouse or cohabitant;
- robbery in the first degree;
- narcotics offenses by a non-dependent or involving minors, and a narcotics sales offense committed after September 30, 1990, which resulted in more than a one-year sentence and the defendant has a previous record of convictions for drug sales which resulted in an incarceration;

Figure IV-2. SHR Release Process



- any of the listed offenses committed while on probation and serving a sentence for that offense; and
- class B felonies committed while on SHR.

Once released on SHR, an inmate must follow 21 standard conditions and any other special stipulations set by the department. The standard conditions provide that the release is discretionary and can be modified and revoked at any time. The inmate's security level can be changed, including confinement, and the supervising officer has the right to visit the inmate's residence or place of employment. In addition, the inmate:

- must report as directed to supervising officer (failure to report regarded as an escape);
- must obey all laws and legal obligations, with no possession of firearms, weapons, or narcotics;
- must notify supervising officer of arrests, change in residence, employment, or marital status;
- must maintain gainful employment or other activity required;
- cannot leave the State of Connecticut or the United States without permission;
- must obtain permission to operate a motor vehicle; and
- is responsible for all expenses, including medical.

As shown in Figure IV-2, a disciplinary report issued while incarcerated may cause an inmate's release to be suspended. In addition, while living in the community on SHR, a violation of the conditions, or other illegal activity, are considered violations of the departmental disciplinary code because the inmate is still under the custody of the Department of Correction. A disciplinary report is issued by the parole officer. The disposition of the violation is under the jurisdiction of the Department of Correction, and can result in the loss of earned good time and revocation of supervised home release.

Inmate Profiles

The program review committee developed a profile of the typical inmate population for each release program (i.e., parole, SHR, and community release) using data provided by the Department of Correction. The data base included all inmates under the supervision of the department who were residing in the community on a single date in 1992. The data included

such elements as age, race, sex, offense type, length of sentence, and date of conviction. Profiles are shown on Table IV-2.

Overall, the inmate population serving sentences within the community are predominantly male (88%). The average age is 31 years and almost half (46%) are African-American; 30 percent are White; and 24 percent are Hispanic.

However, more female inmates are represented in SHR (12%) and community release (16%) than parole (7%). This is a result of the severe overcrowding of the state's only prison for women: Niantic Correction Institution. To manage the population in accordance with federally mandated capacity limits, the department must release the inmates. Many of the female inmates serve less than 50 percent of their sentences and thereby do not become eligible for parole.

The majority of inmates residing in the community in the sample date were convicted of drug and narcotic offenses (41%), including possession, sale, distribution, and manufacturing. Eleven percent were convicted of a violation of probation and 16 percent for a broad category of offenses that included risk of injury, escape, failure to appear, conspiracy, perjury and others.

Drug and narcotic offense convictions accounted for almost half (45%) of SHR inmates and 36 percent of those in the community release program, but only 14 percent of the parolees. Thirteen percent of those on SHR were probation violation convictions, while 8 percent were sentences for larceny. Property crimes, such as burglary and robbery, represented 11 percent and 14 percent respectively for inmates on community release. Twelve percent of the parolees were convicted of murder or manslaughter and 8 percent had been convicted of robbery.

The typical inmate in the sample was sentenced to approximately 48 months and served 14 months of that sentence incarcerated. Once released to the community, the inmate was scheduled to spend about 18 months on supervision. The approximate 16 month gap between the inmate's court-imposed sentence length and the total time he or she spent under supervision of the Department of Correction was a result of the credits given for good time.

Those released on parole are sentenced to an average of 91 months (7.5 years) and serve 46 months (3.8 years) prior to their release. Under the statutes now in effect, an inmate must serve at least 50 percent of the court imposed sentence before becoming eligible for parole. The average length of time spent on parole supervision is slightly more than one year (12.8 months).

SHR inmates are sentenced to significantly shorter sentences than parolees, averaging 45 months (3.7 years). Based on the sample, 13 months were served prior to release on SHR and the average time under supervision was slightly more than 18 months. Inmates on community release typically are sentenced to 56 months (4.7 years), serve 23 months, and are placed in the community for 14 months.

The analysis shows that parolees in the community on the snapshot date had typically served 50 percent of their total sentences in prison and were scheduled to serve 14 percent on parole. SHR inmates in the sample served 29 percent incarcerated and were projected to serve 41 percent on community supervision. Overall, inmates in the sample served 30 percent of the full sentence in prison, were to serve 37 percent supervised within the community, and would have the remaining 33 percent of the sentence waived if they did not lose their previously awarded good time.

Table IV-2. Profile of Inmates of Parole, SHR, and Community Release, 1992.				
	PAROLE	SHR	COMMUNITY RELEASE	TOTAL INMATE POPULATION
TOTAL NUMBER OF INMATES	585 (10.9%)	4,424 (82.8%)	335 (6.3%)	5,344
AVERAGE AGE (YRS)	34	30	30	31
SEX				
Male	544 (93%)	3,883 (88%)	282 (84%)	4,709 (88%)
Female	41 (7%)	541 (12%)	53 (16%)	635 (12%)
RACE				
White	200 (34%)	1,313 (30%)	98 (29%)	1,611 (30%)
Black	250 (43%)	2,028 (46%)	169 (50%)	2,447 (46%)
Hispanic	143 (23%)	1,075 (24%)	67 (21%)	1,276 (24%)
CONVICTED CRIME TYPE				
Arson	3 (.5%)	24 (.5%)	1 (.3%)	28 (.5%)
Assault	16 (3%)	189 (4%)	27 (8%)	232 (4%)
Burglary	23 (4%)	413 (9%)	38 (11%)	474 (9%)
Drug Offenses	82 (14%)	1,975 (45%)	122 (36%)	2,179 (4%) ¹
Larceny	12 (2%)	350 (8%)	13 (4%)	375 (7%)
Murder/Manslaughter	71 (12%)	3 (.1%)	12 (4%)	86 (2%)
Motor Vehicle Offenses	2 (.3%)	63 (1%)	8 (2%)	73 (1%)
Robbery	46 (8%)	211 (5%)	46 (14%)	303 (6%)
Sex Assault	13 (2%)	29 (.7%)	5 (2%)	47 (1%)
Violation of Probation	18 (3%)	557 (13%)	31 (9%)	606 (11%)
Weapon Offenses	1 (.2%)	82 (2%)	4 (1%)	87 (2%)
Other	298 (51%)	528 (12%)	28 (8%)	854 (16%)
AVG. LENGTH OF TOTAL SENTENCE/MONTHS (yrs)	91.1 (7.5)	45.2 (3.7)	56.5 (4.7)	48.8 (4)
AVG. TIME SERVED INCARCERATED/MONTHS (yrs)	46 (3.8)	13.1 (1)	23.1 (1.9)	14.6 (1.2)
AVG. TIME ON RELEASE/MONTHS (yrs)	12.8 (1)	18.7 (1.5)	14.2 (1.1)	18.1 (1.5)

CHAPTER V

PAROLE SUPERVISION PROCESS

By granting parole, the Board of Parole has expressed its judgment that it is appropriate for an inmate to leave prison and live in the community. The release conditions imposed by the board set the parameters for the supervision phase. The community supervision component begins at the release and continues to the end of the sentence or until the release is revoked.

The goals of community supervision are to assist inmates with treatment, control their activities, especially criminal acts, and monitor their adjustment. The threat of returning to prison is the released inmate's incentive to obey all conditions and laws until the successful completion of the sentence.

All post-incarceration supervision is performed by the Department of Correction's community services division. Daily supervision is the responsibility of a departmental correctional rehabilitative services officer (CRSO), whose caseloads include parolees and inmates on supervised home release. The CRSOs at the correction department are also called parole officers; for the purposes of this study, the term "parole officer" and CRSO are interchangeable. The supervision process can be described in terms of the role of the correctional rehabilitative services officer.

Parole Officers

Qualifications and training. Most CRSOs have worked as correctional officers and/or counselors in the department's institutions. The CRSO position covers a wide range of duties, only one of which is the community supervision of parolees and SHR inmates. The qualifications for the CRSO position are not specific to community supervision. In fact, the job description references parole only in terms of arranging employment, education or training, and providing continuity of employment for parolees. The main function of the job is to facilitate or arrange for counseling, either individual or group.

A parole officer, like all employees of the Department of Correction who deal with inmates, must successfully complete a 13-week pre-service training program that is specifically tailored to prepare correctional officers, or guards, for custodial work within the prisons and jails. The pre-service training offers a two-and-one-half hour session on the role of the community services division. There is no pre-service training specific to the parole officer position nor does the department routinely offer in-service training. Some community service regions offer training sessions on specific areas within parole and community supervision. However, this training is not consistent between regions nor is attendance mandatory.

The only required in-service training for parole officers is annual firearm qualification. The officers must attend one eight-hour session of firearm practice and meet minimum standards for use of the weapon.

Parole Supervision

The primary responsibility of a parole officer is to supervise parolees and SHR inmates within the community. The Department of Correction has informally categorized the responsibilities of its parole officers into 12 main duties as follows:

- confirming the pre-release plan;
- conducting home visits and approving the primary residence;
- orientating inmates to rules of release and services available;
- reporting on and meeting with the inmate;
- conducting preliminary violation hearings;
- investigating violations or rearrests;
- filing reports on violations;
- following up on violation reports;
- remanding the parolee or inmate to the custody of the department;
- relocating the remanded inmate to a correctional facility;
- transporting; and
- intervening in problem areas.

Figure V-1 presents a flowchart of the supervision process. As the figure shows, it does not matter whether an inmate is paroled or placed on supervised home release. The community supervision process is virtually the same.

The two tasks that consume the majority of a CRSO's time are developing pre-release plans and reporting or meeting with parolees and SHR inmates. The pre-release plan is a strategy for meeting all the board's or department's release stipulations and ensuring the

residence is acceptable and will allow for the inmate's reintegration into the community. Investigating and approving the plan is a lengthy process that requires a considerable amount of record keeping. An inmate cannot be released on either parole or SHR until the pre-release plan has been finalized by the parole officer.

The reporting of, or meeting with, a releasee is the main function of the parole officer. The frequency of the reporting is determined by the releasee's security level classification. This is the department's determination of the risk that an inmate poses to the community. The higher the risk, the more frequent the meetings with the parole officer. The Board of Parole has no role in determining the reporting schedule, except when placing an inmate on the electronic monitoring program.

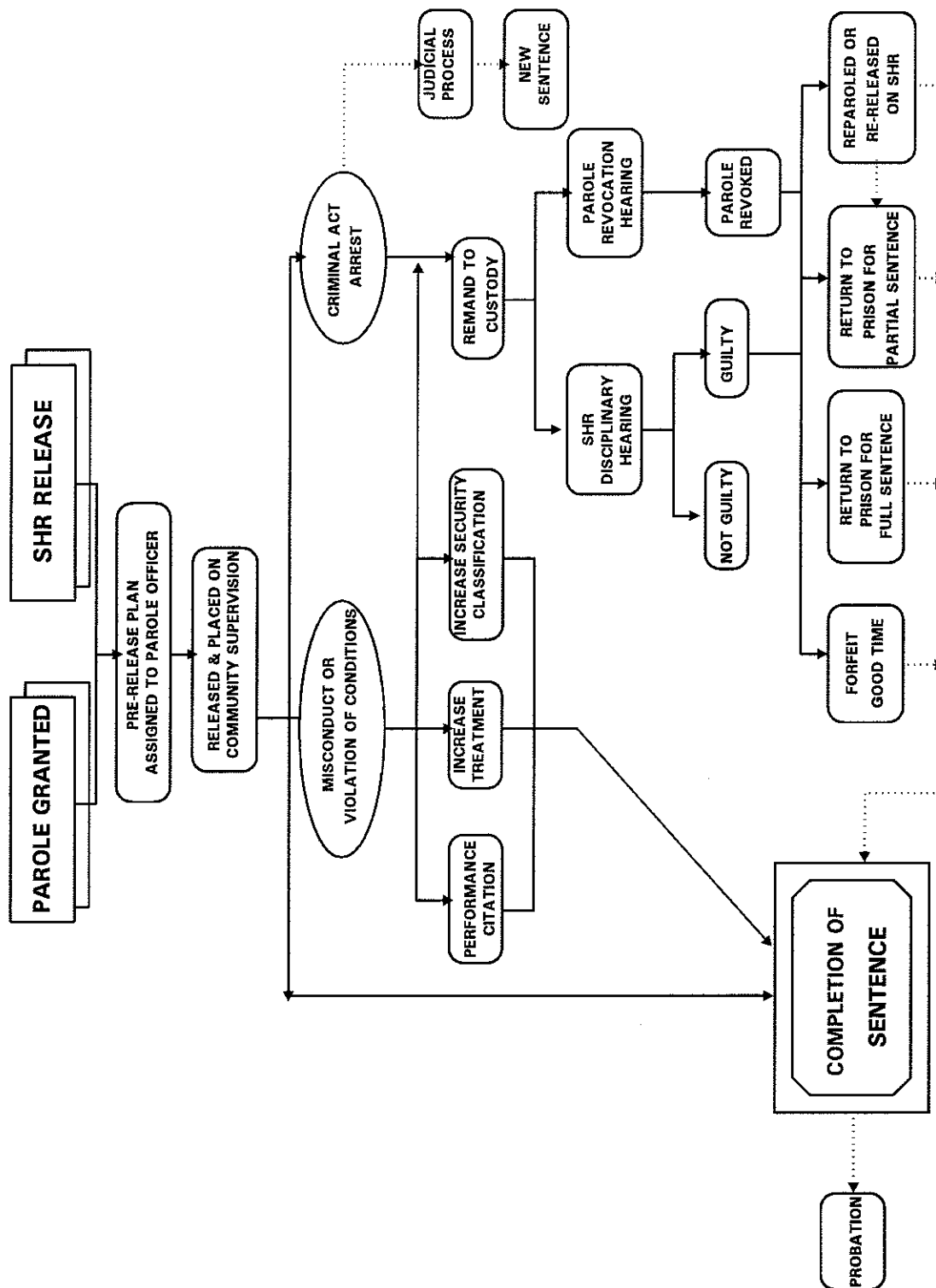
There are three supervision levels for parole and each has a reporting schedule. The level of supervision is determined through the department's classification process; however, the parole officer can recommend a change in classification for good or bad behavior. The supervision levels are:

- maximum: the inmate reports to parole officer twice per month plus one collateral contact (usually by telephone);
- medium: the inmate reports to parole officer once per month; and
- minimum: the inmate reports to parole officer bi-monthly or less frequently.

The supervision classification levels for the supervised home release program, which range from intensive to minimum, are as follows:

- electronic monitoring (the inmate is electronically checked and supervised several times a day for a 60 day period, plus reports to parole officer twice per week and a monthly home visit);
- intensive (the inmate reports to parole officer twice per week and one collateral visit [telephone or in-person] once a week);
- regular (the inmate reports once per week);
- bi-weekly inmate reporting; and
- monthly inmate reporting.

Figure V-1: Parole & SHR Release Process



There is a phase of reporting for both parole and SHR called postcard reporting. This occurs if an inmate is classified as a minimum security risk and is in the final months of supervision. Under these limited conditions, a CRSO supervisor monitors the inmate's activities through the receipt of a postcard.

The objective of the reporting process is to supervise the inmate at the lowest level required to ensure compliance with release conditions and assist in reintegration. Inmates are initially released at the most intensive level of supervision deemed necessary and are then moved to lower levels as experience and inmate behavior dictate.

To ensure the parolee or SHR inmate is complying with release stipulations and becoming a productive citizen, the parole officer coordinates the inmate's involvement in community service and rehabilitative treatment programs. The programs the Department of Correction operates or contracts for include addiction services, education, employment referrals and training, halfway houses or alternative residences, and counseling. All programs are available to all inmates released into the community including parolees. Parole officers act as facilitators for these programs and also provide individual counseling or guidance to parolees and SHR inmates.

Parole caseload. The Department of Correction operates five community services regions throughout the state: Bridgeport, Hartford, New Haven, New London, and Waterbury. Parole officers are assigned to these regions and supervise the SHR inmates and parolees. Table V-1 shows the average monthly caseload data for each region for the period of January through October 1992, which combine caseloads of both SHR and parole. Other comparisons include

Table V-1. Regional Caseload and Staffing Comparisons. January - October 1992.					
	BRIDGEPORT	HARTFORD	NEW HAVEN	NEW LONDON	WATERBURY
AVERAGE MONTHLY CASELOAD	1,316	2,182	1,246	734	743
AVERAGE SHR CASES (% of avg. month. caseload)	1,209 (91.9%)	2,030 (93.0%)	1,138 (91.3%)	665 (90.5%)	664 (89.3%)
AVERAGE PAROLE CASES (% of avg. month caseload)	107 (8.1%)	151 (6.9%)	108 (8.7%)	70 (9.5%)	79 (10.6%)
AVERAGE # OF PAROLE OFFICER	14	15	9	7	10
AVERAGE PAROLE OFFICER CASELOAD	94	145	138	105	74
SOURCE: DOC monthly statistics, 1992.					

officer caseload sizes (for SHR and parole combined), number of parole officers, and a breakdown of parolee versus SHR inmate caseloads. As shown, Hartford has the largest caseload size, averaging 2,182 inmates and parolees per month. Bridgeport and New Haven have similar caseloads as do New London and Waterbury.

The differences in caseload can be attributed to the geographical locations of the regions and the cities encompassed within them. For example, the New London and Waterbury regions include many areas of the state that are not densely populated.

During 1992, the Department of Correction employed approximately 55 correction rehabilitation services officers to perform community supervision. The caseloads varied among the regions with the statewide average at 113 parole and SHR inmates per officer. As shown in the table, Hartford has the largest caseload at 145 and Waterbury the lowest with 74.

It should be noted that these caseload figures also include parole absconders and SHR escapees. The detection and apprehension of the absconders and escapees is not a high priority for the Department of Correction; in fact, escape warrants are referred to the Connecticut State Police for investigation. Therefore, the caseload statistics are actually slightly lower than the figures represented.

Parole Violations

Many factors account for a releasee failing to obey all release stipulations or laws. Some inmates are arrested for new criminal activity and are required to again go through the judicial process and can be sentenced to a separate term in prison. Less serious than an actual arrest is misconduct or violation of the release conditions.

A parole officer can intervene in several ways to assist in keeping the parolee or SHR inmate, who has violated a law or release stipulation, from returning to prison. As shown in Figure V-1, intervention can result in the issuance of a performance failure citation or misconduct report, an increase in or addition of participation in treatment programs, an increase in the supervision classification resulting in more frequent in-person visits, or a remand back into custody. A remand is the most serious intervention, which results in the loss of freedom.

With regard to parolees, parole officers have less discretion with intervention. The Board of Parole sets release conditions that are specific to that inmate. The board also includes as a stipulation in most release agreements that the inmate will be returned to the board at the first sign of drug or alcohol use or criminal activity. The Board of Parole has jurisdiction over revoking parole, and the parole officer must comply with the board's order.

The parole officers have much more discretion in dealing with SHR inmates because they are still in the custody of the Department of Correction. The department does set special stipulations, but does not generally remand the inmate at the first sign of misconduct or violation.

Remands. Once remanded to prison due to a violation or criminal act, the process for disposition is different for parolees and SHR inmates. These procedures are outlined in Figure V-1. When a parolee is remanded, a probable cause hearing is held at the institution by the parole officer and a hearing officer to determine if there is sufficient evidence to continue reincarceration. This hearing can be waived by the inmate. Like the rescission hearing described in Chapter IV, the parolee is entitled to due process rights. The principle behind these rights is that the parolee has a constitutionally protected liberty interest in that his freedom is in jeopardy. At the revocation hearing, the parolee has a right to assistance of counsel, cross examine witnesses, and present witnesses.

The SHR inmate is entitled to a departmental disciplinary hearing the same as those held within the institutions. The hearing is held before a disciplinary hearing officer. The SHR inmate does not enjoy the same rights as the parolee at the hearing. However, the inmate is given notice of the violation and can present his version of the events and present supporting witnesses or evidence. The disciplinary committee makes a finding of guilty or not guilty. In the event of a guilty disposition, the warden imposes the penalty.

The penalties for a parole revocation imposed by the parole panel include the following:

- forfeiture of any or all earned good time credits;
- serving the remainder of the sentence incarcerated in an institution;
- serving a portion of the remaining sentence incarcerated;
or
- being reparaoled.

The penalty for a supervised home release violation is the forfeiture of any or all good time credit up to 90 days. The hearing officer determines a penalty, which is approved or altered by the warden. The decision to re-release on SHR is also made by the warden.

The remand and hearing process can occur many times during an inmate's sentence, especially for those released on SHR. The Board of Parole has maintained stricter standards for parolees who fail in the community.

Parole outcomes. The Board of Parole makes three key decisions that affect an inmate's freedom. These decisions are to grant, rescind, or revoke parole. To rescind is to cancel parole prior to the actual release of the inmate, usually due to inmate misconduct within the institution. Revocation of parole occurs after the inmate has been released from the institution.

The frequency with which the board made these decisions from FY 87 through FY 91 is shown in Table V-2. The dramatic increase in the number of paroles granted in FY 90 and

FY 91 has been previously referenced. The table shows the annual number of rescissions and revocations is fairly stable. However, it should be noted that the parole-granted numbers cannot be related to the rescissions and revocations. This is because the latter two actions may have been taken in cases where the original parole was granted in a previous year.

Table V-2. Key Decisions By Parole Board.			
FY	PAROLE GRANT	PAROLE RESCIND	PAROLE REVOKE
87	130	10	81
88	78	14	58
89	51	6	34
90	190	8	49
91	506	12	36
Source: Board of Parole and Governor's Budget Report.			

CHAPTER VI

RECOMMENDATIONS

The recommendations presented in this chapter are based on program review committee findings in several areas of the parole system. The focus is on two main areas: the Board of Parole's ability to handle an increased caseload; and community supervision of parolees. The principal finding is that the parole board, with its current structure and limited authority, cannot meet the demand to review and place on parole the increasing number of eligible inmates due to the elimination of SHR.

Also, the integrity of community supervision has been compromised by the conflicting responsibilities thrust on the Department of Correction -- to incarcerate and release inmates. It is this second responsibility -- release of inmates -- that conflicts with the department's singular custodial responsibility for inmates. Public policy never intended for the department to serve in the role of judge in determining the length of an individual's sentence. However, the use of supervised home release to relieve overcrowding has placed the Department of Correction in that role. In an effort to succeed in its mandate to manage institutions within legal capacity limits, the department has, out of necessity, used SHR as a population management device for its institutions. It is the belief of the program review committee that the parole system would be better served with the release decision-making and supervision responsibilities located within one agency and separate from the agency whose primary responsibility is to manage the state's prisons.

This chapter provides the Legislative Program Review and Investigations Committee's findings and recommendations regarding the parole board and supervision system.

Board of Parole

The statutory mission of the Board of Parole is to determine when an eligible inmate should be granted parole and what conditions to attach to his or her release to the community. That mission has not changed. However, beginning in July 1993, with the elimination of supervised home release, parole will be the main early release mechanism for prison inmates. The board will then face a dramatic increase in the parole-eligible population.

The Board of Parole exercises its parole granting authority through three-member panels assigned to selected prison facilities. The panels are appointed by the chairman. At least two members must be present for a parole hearing to take place and two affirmative votes are required for an action to be taken.

The program review committee recommends that two full-time vice-chairmen, each appointed by the governor with the advice and consent of either house of the general assembly, be added to the Board of Parole by July 1, 1994.

The Board of Parole shall be given the statutory authority to develop and implement regulations for an administrative hearing and review procedure for granting parole to eligible inmates without requiring a hearing by a three-member panel. However, any such administrative grant of parole must be approved by an affirmative vote of at least two of the board's full-time members.

Inmates convicted of the following crimes shall be ineligible for an administrative review and shall require a hearing by a three-member parole panel:

- **all offenses resulting in a death;**
- **class A felonies;**
- **assault in the first degree and assault on a victim 60 years or older;**
- **sexual assault in the first degree, aggravated sexual assault, sexual assault with a weapon, and sexual assault on a spouse or cohabitant;**
- **robbery in the first degree;**
- **any of the listed offenses committed while on probation or parole and serving a sentence for that offense; and**
- **class B felony committed while on parole.**

As recommended, the membership of the Board of Parole will be increased to 13 members with the addition of the two full-time vice-chairmen. It is envisioned that the vice-chairmen will have administrative duties as well as chair hearing panels. This recommendation will allow the board to increase the number of panel hearing dates per week from 3 to 6, thereby increasing from 180 to 360 the number of inmate cases the board could decide per month.

However, the board will still be 140 cases short of the estimated need. The committee believes this number could be handled through the administrative review procedure authorized in the second recommendation. Based on standards and criteria set by the board, parole could be granted after a staff review and subsequent approval by two of the three full-time board members. Such a procedure would enable the board to meet all its demands.

Similar alternative hearing and review practices are in effect in 18 other states. The most common practice involves hearing officers, who serve as professional staff to the board. The hearing officers are responsible for reviewing an inmate's case based on the board's guidelines and recommending to grant or deny parole based on established criteria. The chairman, or designee, retains the final approval of the hearing officer's recommendation.

This process can dramatically increase the board's ability to handle cases. The parole board will be limited in the types of cases to be handled by a hearing officer; however, a large percentage of cases can be processed through this system.

Although the Board of Parole is not responsible for managing prison overcrowding, it must be responsive to this issue in developing its policy and standards. The board's ability to process cases more efficiently is crucial to helping the Department of Correction in managing its population. To ensure the parole board's cooperation in dealing with the problem the committee staff urges the Prison and Jail Overcrowding Commission to seek a change in its membership to include the chairman as a voting member.

Organization of Board

Several issues related to the organization of the board surfaced during the review. First, specific statutory criteria that define the qualifications of the members do not exist. Second, the governor has failed to maintain full board membership. It has been six months since the board has operated with its full 11 members, and it currently has only eight. Lastly, there is only one minority member serving on the board, which lessens its racial diversity. To remedy these concerns the committee proposes the following recommendations:

The chairman and two vice-chairmen shall be qualified by training, experience, and/or education in either law, criminal justice, parole, or other related fields for the consideration of the matters before them.

All terms shall be four years. The chairman shall be the executive and administrative head of the board and serve coterminously with the governor. The initial appointments of the two vice-chairmen and 10 part-time members shall be based on the schedule of terms as follows:

- **one vice-chairman to a two-year term;**
- **second vice-chairman to a three-year term;**
- **five part-time members to two-year terms; and**
- **five part-time members to four-year terms.**

Appointments to fill vacancies shall be for the unexpired portion of the vacant term.

The board shall reflect the state's ethnic and racial diversity.

The first two recommendations are aimed at professionalizing the Board of Parole and ensuring continuity and consistency in its operations and procedures. The last recommendation addresses the issue of racial diversity within the board's membership. In dealing with an inmate

population, which is 46 percent African-American, 30 percent White, and 24 percent Hispanic, a racially balanced parole board will be above any questions concerning its sensitivity to issues within each group.

Administration

Parole board. The Board of Parole, to be effective, must have control over its own operations and a set of clearly defined responsibilities. It must also have mechanisms in place to ensure consistency in its performance and a constant flow of new ideas.

To achieve these goals the program review committee recommends the following be added to the board's statutory powers:

- adopt such rules and regulations as deemed necessary for the internal affairs of the board;
- adopt an annual budget and plan of operation;
- submit an annual report to the governor and the legislature;
- allocate resources as needed;
- establish an organizational structure with administrative and parole divisions;
- establish procedures to hire, dismiss or otherwise discipline or promote employees and board members subject, where appropriate, to provisions of the state's civil service system;
- establish policy for the alternative review practices of parole eligible inmates that does not require hearings by three-member panels including, but not limited to, the use of hearing officers; and
- develop policy for and administer the operation of the Interstate Parole Compact.

Chairman. Similar to the current statutes and directives that refer to the entire Board of Parole, those defining the role and responsibilities of the chairman of the Board of Parole are also few and unspecific. In general, the chairman's responsibilities are as follows: "...shall be the administrative head of the Board of Parole and shall be responsible for the efficient operation

of the system and prompt disposition of parole cases." As the role of the Board of Parole takes on greater importance within the criminal justice system, it is important to establish a set of standards that can be used to hold the head of the board accountable. Toward this end the program review committee recommends:

The chairman of the Board of Parole shall be responsible for:

- **directing and supervising all administrative affairs of the Board of Parole;**
- **preparing the budget and annual operation plan in consultation with the board;**
- **assigning staff to parole panels, regions, and supervision offices;**
- **organizing parole hearings calendars to facilitate the timely and efficient process of cases;**
- **implementing a uniform case filing and processing system;**
- **establishing policy in all areas of parole including, but not limited to: (1) decision-making; (2) release criteria; and (3) supervision standards;**
- **establishing specialized parole units as deemed necessary;**
- **entering into contracts, in consultation with the board, with service providers, community programs, and consultants for the proper functioning of parole and community supervision;**
- **creating programs for staff and board development, training, and education; and**
- **consulting with the Department of Correction on shared issues, such as prison overcrowding.**

Most of the chairman's specific responsibilities outlined above are straightforward prescriptions for good management. However, three need to be highlighted to convey their importance. The first concerns the responsibility to implement a uniform case filing and processing system. This is vital to improving the efficiency of the board. In the past, hearing

panels have been forced to continue too many cases due to insufficient information from the correction department. An analysis of the board's decision-making shows 58 percent of all continuances are a result of this reason.

The second area concerns the chairman's responsibility to establish policies concerning release criteria and decision-making. The institution of standardized release criteria and formal training in the decision-making area have proved to be beneficial to many parole boards. One recognized method for standardizing release criteria is called structured decision-making (SDM). Developed by the Center for Effective Public Policy, this process involves the use of explicit factors and measures as the primary basis for assessing the risk associated with the early release of inmates. The goal of structured decision-making is to produce more policy-guided and objective parole board decisions and to allow for a system that can be reviewed or audited.

Many states have found that the structured decision-making process promotes fundamental fairness and consistency in dealing with parole-eligible inmates. It also gives a parole board more direct accountability for the actions it takes. Most importantly, structured decision-making serves as a tool for enhancing the lines of communication between board members, staff, the correction department, offenders, and the public.

The last of the chairman's responsibilities to be emphasized relates to the establishment of specialized parole units. Such units, staffed by uniquely qualified and trained officers, have been increasing in popularity among other state parole agencies. For many reasons, including decreasing financial resources, there are less community programs and services available to released inmates. Many programs developed for inmates with special problems or those difficult to reintegrate were the first to close. Inmates with mental health problems or serious illnesses or those convicted of heinous or highly publicized crimes, such as child or sexual abuse, are more difficult to reintegrate and manage in the community. They are also at the highest risk of re-offending. The response by parole boards has been to deny release and require these offenders to remain incarcerated.

However, incarceration may not best serve the public or the inmate. These inmates, no matter what the length of their sentences, will ultimately be released. It is more effective and safer to release them under close supervision by staff specifically trained to address their needs. Many of these inmates require a more treatment-orientated supervision than is provided in a prison setting.

The most common specialized parole unit has been an absconder and escapee unit, also called a remand unit. These parole officers are solely responsible for the investigation and remand to custody of parolees who have absconded or escaped. The training and equipment provided to these officers make them uniquely qualified for returning to prison those parolees who violate. This is often times a dangerous task.

Institutional Parole Officers

The program review committee concludes that the absence of clear lines of communication between the institutions and the parole board has resulted in the large percentage of continuances at the first hearing. To remedy this problem the committee recommends:

The Department of Correction shall assign at least one employee per institution, including Walker Reception Center, as an Institutional Parole Officer and identify those persons to the Board of Parole. In addition to other duties assigned by the correction commissioner, the Institutional Parole Officer shall be responsible for the following:

- **compiling Department of Correction records and information in accordance with the Board of Parole's guidelines and requests;**
- **preparing inmates for parole hearings based on the board's criteria and standards;**
- **identifying parole eligibility dates for all inmates serving more than one year at the start of that sentence and providing those dates to the board;**
- **arranging for and coordinating transportation of inmates to hearing locations;**
- **assisting the parole panels during hearings at the institution; and**
- **assisting the Board of Parole in implementing release stipulations to community programs and services.**

The duties performed by the institutional parole officers (IPO) will strengthen the Department of Correction's accountability and responsibility in the parole release process. The Board of Parole can establish clear lines of communication with the department through the IPOs. This will enable the board to set standards and criteria for the type of information regarding inmates that is needed at a parole panel hearing or alternative review and, in turn, the department will be aware of what is expected.

The management of information will reduce the need for continuances and stop the cancellation of hearings. The department has an interest in ensuring that the board is equipped to perform its function, in that the more efficient the board is, the better served the department is in managing its inmate population.

In addition to the release decision-making responsibilities, the IPO can be of assistance in implementation of parole stipulations to community service programs, such as half-way houses and in-patient programs. Since the Department of Correction currently contracts for and funds the community services and programs, its staff has the expertise and knowledge in this area. The board utilizes these services by stipulating that a release is contingent upon an inmate's participation. The IPO will coordinate between the department and board in locating bed space or availability in a program, registering parolees for services, and keeping the board updated on the existing programs and services in the community.

This recommendation gives the Department of Correction flexibility in assigning the institutional parole officers instead of authorizing the Board of Parole to place its staff within the prisons and jails. Because the department is an essential part of and is ultimately served by the parole system, it should be able to appoint its staff in this area. However, the IPOs will also be working with the board and the policy and procedure of the DOC shall not be contrary to that of the Board of Parole.

Parole Caseload

In July 1995, a statutory requirement limiting parole caseloads to 25 takes effect. Based on the data shown in Table V-1, the state would have to add more than 150 parole officers to meet the law. The program review committee finds this is unrealistic and recommends:

Connecticut General Statute Sec. 54-124b(b), mandating a caseload capacity limit of 25 parolees per parole officer, shall be replaced with a requirement that the chairman of the Board of Parole, in consultation with the full board and representatives of parole officers, review and annually set caseload ratio goals.

Support for this recommendation can be found in the national literature. Currently, there are no national standards, and the American Correctional Association (ACA), which performs accreditation of paroling authorities and correction departments, does not endorse a specific caseload cap per parole officer. A 1991 study conducted by the American Probation and Parole Association (APPA) on caseload standards concluded that caseload standards should not be adopted. This was based on the finding that supervision of parolees in the community varies based on offender type and the organizational policy of the agency.

The United States Department of Justice's National Institute of Corrections (NIC), in its Handbook For New Parole Board Members, states that defining an ideal or appropriate number of cases per parole officer is "probably impossible". The caseload size is dependent upon several factors, such as the goal of the supervision, the expectations of the agency, and the types of cases in the caseload. The NIC states that when caseloads are over 100 per parole officer, the sheer number of cases prevents anything but "superficial, infrequent contact".

It is therefore the committee's opinion that setting a statutory caseload limit is inappropriate and it should be the responsibility of the chairman of the Board of Parole to

establish. The policy should be based on workload and not on the number of cases per officer. It should address the following:

- basis for classification (risk, needs, offense);
- contact standards (type and frequencies);
- hours of work, leave policies; and
- collateral duties.

Parole Supervision

There are several real and perceived problem areas related to the Department of Correction's supervision of parolees. The primary issue centers on the conflict between the department's mandate to incarcerate inmates and its responsibility to supervise inmates and parolees residing in the community.

The prison overcrowding crisis forced the department to make extensive use of programs designed to place inmates in the community. During its peak use, the department's supervised home release program resulted in many inmates serving approximately 10 percent of their sentences in jail. A committee staff analysis found the average incarceration time for 5,385 inmates residing in the community on a randomly selected date was slightly less than 30 percent of the court imposed sentence. The problems associated with trying to supervise more than 5,000 inmates in the community are compounded by pressure on department staff, forced by the overcrowding crisis, not to reincarcerate inmates for violating conditions of their release.

The program review committee believes many state judges lost confidence in the Department of Correction and began altering their sentencing practices. Evidence for this can be found in the increasing use of split sentences by state judges. Split sentencing is the practice of adding a term of probation to the end of a prison sentence. As of June 1992, there are more than 7,000 persons under split sentences being supervised by the Office of Adult Probation. This number is up more than 10 percent from October 1991, and is projected to continue to climb.

It was also confidence-related problems that caused the Board of Parole to change some of its practices. The board with its options limited to denying parole, requiring inmates to serve more time prior to parole, or imposing severely restrictive stipulations and conditions for release, increasingly chose the latter. In this way the board effectively limited a parole officer's discretion in supervising a parolee, which countered the department's policy.

In an effort to change the types of strategies employed by the Board of Parole and state judges to deal with shortcomings they see in the system, the program review committee recommends:

Effective July 1, 1994, the Board of Parole shall have statutory responsibility for the supervision of all inmates residing in the community.

Beginning July 1, 1993, the chairman of the Board of Parole and the commissioner of the Department of Correction in consultation with representatives of the employees, shall develop a plan for the transfer of funded positions and related staff from the Department of Correction to the Board of Parole.

By July 1, 1994, the chairman of the Board of Parole shall establish an organizational structure to direct the operation and administration of parole officers. The chairman shall also establish qualifications and standards for all parole officer positions subject, where appropriate, to provisions of the state's civil service and collective bargaining systems.

Persons convicted of crimes committed on or after October 1, 1994, shall be subject to supervision for the full term of their court imposed sentences.

The intent of the recommendations is to restore confidence in the supervision of inmates residing in the community. In the administrative area, the Board of Parole will be free to set the standard for supervision based on public safety as well as the needs of the parolees. The authority for decision-making and supervision will be based in one agency and prison management concerns will play a lesser role.

Analysis has shown that sentenced inmates serve approximately 30 percent of their sentences in prison, and 37 percent under some type of community supervision. The remaining 33 percent is unserved normally due to the awarding of good time credits by the department. This recommendation would ensure a mandatory period of community supervision for all offenders serving sentences of more than one year, whether released to parole or not.

The Department of Correction is statutorily authorized to reduce the length of a court-imposed sentence through the awarding of good time. Typically, an inmate receives 10 days of good time credit for every 30 days served of a sentence. In addition, the department can award up to 120 days of outstanding meritorious good time (OMGT) per sentence.

Statutorily, an inmate must serve 50 percent of the court-imposed sentence to be eligible for parole. Under this recommendation, if released, the inmate's remaining 50 percent would be served in community supervision under the Board of Parole. For those inmates ineligible for or denied parole and required to serve the maximum term within the Department of Correction (approximately 60 percent: the court-imposed sentence minus good time credits), a period of community supervision would be mandatory upon discharge. Basically, after discharge from prison, an inmate would be required to serve the remaining portion of the sentence (40%) under community supervision by the parole board.

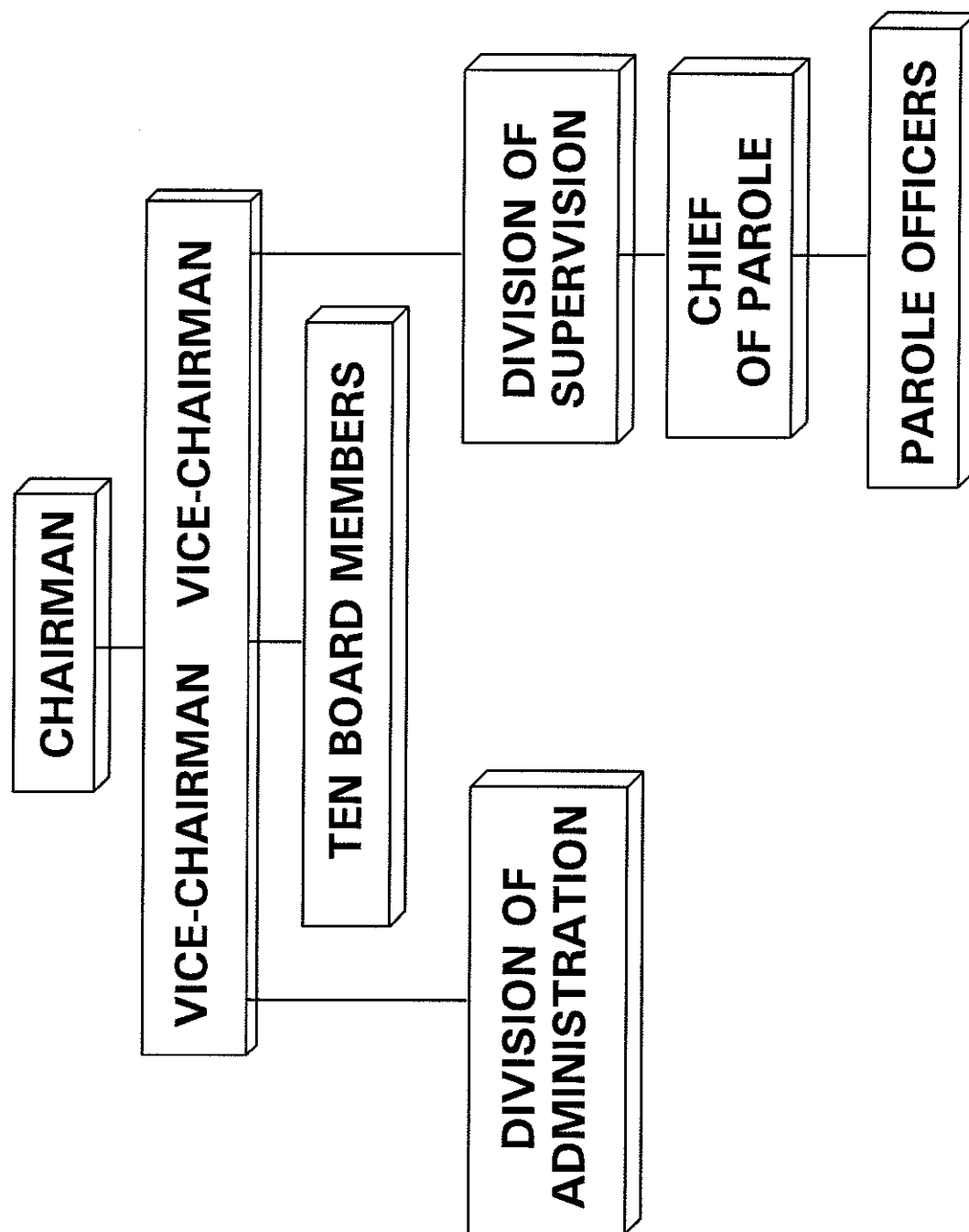
Thus all convicted offenders would be required to serve the full term of the court-imposed sentence with some form of supervision. The good time credits, including the 120 days OMGT, awarded by the Department of Correction would be applied to the incarcerated term only. The Board of Parole would retain jurisdiction over all parolees and discharged inmates to the end of their sentences.

Based on its analysis of community release data, the committee estimates the recommendation subjecting inmates to their full court-imposed sentences would add an average of approximately 18 months of supervision. The recommendation would double the current average time an inmate spends under supervision in the community. The program review committee believes the extra supervision time would have a three-fold benefit: (1) enhance opportunities for protecting the public; (2) assure state judges their sentences would have meaning; and (3) facilitate the inmate's successful re-entry into the community.

Staff. It should be noted that the Department of Correction will continue to have the authority to release and supervise within the community those inmates serving one year or less. To do so, the department will retain a small supervision staff.

Figure VI-1 contains an organizational chart reflecting the committee's recommendations for the parole board, including two vice-chairmen positions and parole officer staff. As shown, parole officer staff will be transferred from the correction department to the board.

**FIGURE VI-1: Recommended Organizational Structure
BOARD OF PAROLE**



APPENDIX A
PAROLING AUTHORITIES

Table A-1. Paroling Authority In 50 States.

STATE	NAME	ESTABLISHED BY	# ON BOARD	BOARD STATUS	APPOINT. AUTHORITY	TERM LENGTH (YRS)	STATE AGENCY	HEARING STATUS	OTHER INFO
AL	Bd of Pardons & Parole	statute	3	FT	governor	6		open	
AK	Bd of Parole	statute	5	PT	governor	4	Dept. of Correction	closed	Board expired on 6/30/85
AZ	Bd of Pardons & Parole	statute	7	FT	governor	5		open	
AR	Bd of Pardons & Parole	statute	5	PT	governor			open	
CA	Bd of Prison Terms	penal code	9	FT	governor	4	Dept. of Correction	open	additionally each county has a Bd of Parole Commissioners
CO	Bd of Parole	statute	5	FT	governor	6		open	
CT	Bd of Parole	statute	11	F/P	governor	4	Dept. of Correction	open	within DOC for administrative purposes only. Chairman is only full time member.
DE	Bd of Parole	statute	5	F/P	governor			closed	chairman is only full time member
FL	Parole & Probation Commission	statute	7	FT	governor	4		open	members can only serve for 2 terms Board may have been repealed as of 7/1/87
GA	Bd of Pardons & Paroles	constitution & statute	5	FT	governor	7	Dept. of Offender Rehabilitation	---	within DOR for administrative purposes only
HI	Paroling Authority	statute	3	F/P	governor	4		closed	
ID	Commission of Pardons & Paroles	statute	5	PT	State Board of Corrections	5		closed	
IL	Prisoner Review Board	statute	10	FT	governor	6		open	In 1977 state began determinate sentencing therefore parole only offered to inmates sentenced to crimes committed prior to 1977.
IN	Parole Board	statute	5	FT	governor	4	Dept. of Corrections	closed	board members must have a college degree
IA	Board of Parole	statute	7	F/P	governor	5		open	at least 3 members must be practicing lawyers
KS	Kansas Adult Authority	statute	5	FT	governor	4		closed	

Table A-1. Paroling Authority In 50 States.

STATE	NAME	ESTABLISHED BY	# ON BOARD	BOARD STATUS	APPOINT. AUTHORITY	TERM LENGTH (YRS)	STATE AGENCY	HEARING STATUS	OTHER INFO
KY	Parole Board	statute	5	FT	governor	4	Corrections Cabinet	closed	within cabinet for administrative purposes only
LA	Board of Parole	statute	5	FT	governor	2	Dept. of Corrections	open	
ME	State Parole Board	statute	5	PT	governor	4	Dept. of Corrections	---	
MD	Parole Commission	statute	7	FT	Secretary of the Department	6	Dept. of Public Safety & Correctional Serv	---	
MA	Parole Board	statute	7	FT	governor		Dept. of Correction	open	within DOC for administrative purposes only. Board members are in full time classified state service.
MI	Parole Board	statute	7	FT	Director of DOC		Dept. of Correction	closed	board members are in full time state civil service.
MN				F/P				---	Board eliminated in 1983 due to determinate sentencing policy, however, commissioner of DOC has authority to parole eligible inmates.
MS	State Parole Board	statute	5	F/P	governor	4		open	
MO	Board of Probation & Parole	statute	5	FT	governor	6	Dept. of Correction & Human Resources	closed	
MT	State Board of Pardons	statute	3 and 1 auxiliary	PT			Dept. of Institutions	closed	within DOI for administrative purposes only
NE	Board of Parole	statute	5	FT	governor	6	Board of Pardons	open	within Board of Pardons for administrative purposes only. Chairman and 2 members are full time & remaining 2 members are part time.
NV	State Board of Parole Commissioners	statute	3	FT	governor	4		open	members are full time unclassified civil service

Table A-1. Paroling Authority In 50 States.

STATE	NAME	ESTABLISHED BY	# ON BOARD	BOARD STATUS	APPOINT. AUTHORITY	TERM LENGTH (YRS)	STATE AGENCY	HEARING STATUS	OTHER INFO
NH	Adult Parole Board	statute	5	PT	governor	4		closed	members limited to two terms
NJ	State Parole Board	statute	7	FT	governor	6	Dept. of Correction	closed	members are full time
NM	Parole Board	statute	3	FT	governor	3		closed	members are full time
NY	State Board of Parole	statute	15	FT	governor	6	State Division of Parole of NY Exec. Dept.	closed	members must have college degree members are full time
NC	Parole Commission	statute	5	FT	governor	4		closed	members are full time
ND	State Parole Board	statute	3	PT	governor	3		open	
OH	Parole Board	statute	7	FT	Chief of Adult Parole Authority		Dept. of Rehabilitation & Correction	closed	members are in the state classified civil service
OK	Pardons & Parole Board	constitution	5	PT	governor (3) chief justice-supreme court (1) presiding criminal court judge (1)	4		open	
OR	State Board of Parole	statute	5	FT	governor	4		closed	Assistant director of the DOC is an ex officio member of board members are full time and at least one must be a woman
PA	Board of Probation & Parole	statute	5	FT	governor	6		---	an independent administrative board
RI	Parole Board	statute	5	PT	governor	3	Dept. of Correction	---	
SC	Parole & Community Corrections Board	statute	7	PT	governor	6		open	

Table A-1. Paroling Authority In 50 States.

STATE	NAME	ESTABLISHED BY	# ON BOARD	BOARD STATUS	APPOINT. AUTHORITY	TERM LENGTH (YRS)	STATE AGENCY	HEARING STATUS	OTHER INFO
SD	Board of Pardons & Parole	statute	3	PT	governor, AG, supreme court	4	Board of Charities & Correction	open	under direction of BCC, but is a quasi-judicial, quasi-legislative, and advisory board appointments by AG and court must be attorney
TN	Board of Pardons	statute	5	FT	governor	6		open	board is a full time, autonomous entity
TX	Board of Pardons & Pardon roles	constitution	6	FT	governor chief justice supreme court presiding judge criminal appeals court	6		closed	each appointing authority selects 2 members
UT	Board of Pardons	statute	3	F/P	Board of Corrections	6	Dept. of Social Services	open	
VT	Parole Board	statute	5	PT	governor	5		closed	
VA	Parole Board	statute	5	FT	governor	4		closed	
WA				FT				open	As of July 1, 1988 board of parole was repealed. July 1, 1984 parole not available due to implementation of determinate sentencing policy. Parole was only available to inmates sentenced for crimes committed prior to July 1984.
WV	Board of Probation & Parole	statute	3	FT	governor	6		open	members are full time
WI				FT				closed	Department of Public Welfare has paroling authority. There is no board.
WY	Board of Parole	statute	5	PT	governor	6		closed	

Board Status: FT = full time; PT = part time; and F/P = full time chairman and part time board members.
Hearing Status: --- = no formal hearing process.

Source: Appointment, Required Qualifications, Tenure, Authority Over, and Removal of Members of Parole-Granting Entities in the 50 States, 1985 and LPR&IC staff analysis and update.

APPENDIX B

AGENCY RESPONSE



STATE OF CONNECTICUT

DEPARTMENT OF CORRECTION

340 CAPITOL AVENUE
HARTFORD, CONNECTICUT 06106

LOWELL P. WEICKER, Jr.
GOVERNOR

LARRY R. MEACHUM
COMMISSIONER

January 6, 1993

Mr. Michael Nauer, Director
Legislative Program Review and
Investigations Committee
State Capitol - Room 506
Hartford, CT. 06106

Dear Mr. Nauer:

This is to acknowledge receipt of and summarize our response to the Legislative Program Review and Investigations Committee final report regarding the Board of Parole and Parole Services.

For the sake of brevity, the Department will limit its comments to each of the recommendations contained in the Executive Summary.

Recommendation #1

The Department of Correction is supportive of this recommendation.

Recommendation #2

The Department of Corrections supports the development and implementation of standards for an administrative hearing and review procedure for granting parole to eligible inmates.

Recommendation #3

The Department of Correction concurs that the Board should be qualified in the areas enumerated in this recommendation.

Recommendation #4

The Department of Correction is neutral with regard to the proposed schedule of terms for Board members contained in this recommendation.

Recommendation #5

The Department of Correction concurs that the Board should reflect the State's ethnic and racial diversity.

Recommendation #6

The responsibilities enumerated in this recommendation are presently assigned to the Department of Correction. We believe that the current structure is appropriate and provides for input from the Board of Parole. It is also the most cost effective.

Recommendation #7

The Department of Correction does not have a position with regard to the Chairman directing and supervising all administrative affairs of the Board. Support services for preparing the budget and handling other administrative details, are presently provided by the Department of Correction. This is perceived as optimum from a cost benefit standpoint.

We agree that the chairman should assign staff to the parole panel and regions, but that the supervision of parole officers should remain with the Department of Correction.

We also concur that parole hearing calendars should be organized to facilitate timely and efficient processing of cases, a uniform case filing and processing system should be implemented, and policies in the areas of decision-making, release criteria and supervision standards should be established.

The Department does not agree with the establishment of special parole units primarily based on the costs association with such units.

With regard to entering into contracts, creating programs for staff and consulting with the Department of Correction on shared issues such as prison overcrowding, we believe that the Board of Parole and this Department can work together under the present arrangement to resolve any outstanding issues relative to these areas.

Recommendation #8

The Department of Correction is not opposed to the establishment of Institutional Parole Officers (IPO) as long as they are assigned to and under the authority of the Department of Correction. However, once again, these staff do not currently exist, and the financial impact of this recommendation is significant. There are currently

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January 6, 1993
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twenty-six (26) facilities (soon to be 29) which would represent approximately one (1) million dollars in expenditures (\$30,000 x 26 IPO) for the State of Connecticut.

Some facilities would require more than one (1) Institutional Parole Officer based on inmate population and number of parole transactions.

Recommendation #9

The Department of Correction concurs with this recommendation given the State's current fiscal situation and the potential financial impact resulting from the mandated case load. The budget and total number of cases will dictate case load size. Therefore, we would strongly recommend repeal of CGS 54-124b. The costs to comply with this standard are prohibitive.

Recommendation #10

The Department of Correction strongly disagrees with this recommendation. Transferring parole supervision authority to the Board of Parole would require the establishment of a separate state agency. This would result in redundancy of services, and have a significant fiscal impact on the State of Connecticut. Addendum A-2, which recommends the proposed Board of Parole organizational structure, lists two (2) vice-chairs, a Division of Administration, and a Division of Supervision which provides for a Chief of Parole services. Each of these organizational entities would represent a significant increase in expenditures e.g. personnel officers, payroll officers, affirmative action office, budget and purchasing personnel, payroll personnel, health services staff, records specialists, programs and services personnel, etc. With the current fiscal situation, and recommendations for consolidation and regionalization contained in the Harper/Hull study, it appears contradictory to recommend the establishment of a new agency at this time.

Recommendation #11

The Department of Correction disagrees with the recommendation to develop a plan for the transfer of resources to the Board of Parole predicated on the rationale articulated in #10.

Recommendation #12

As stated in #10 and #11, the Department of Correction is opposed to the establishment of a separate organizational structure. With regard to the qualifications and standards for parole officers, we would contend that the appropriate authority for

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establishing such qualifications clearly rests with the Department of Administrative Services - State Personnel Division.

Recommendation #13

It is unrealistic to supervise offenders for the full term of their court imposed sentences. The current law requires that offenders convicted of crimes occurring on or after October 1, 1992, serve 40% of their sentence prior to being eligible for Supervised Home Release (SHR) consideration. With this more restrictive criteria, the number of SHR offenders has dropped to approximately 4,200. After June 30, 1993, no new placements may be made into the SHR program.

SUMMARY

While the Department of Correction agrees that a number of the recommendations contained in the Executive Summary are valid, we would contend that the non-fiscal recommendations can be implemented under the present organizational structure. For these reasons, the Department of Correction is unable to support the Committee's final report.

As always, I remain available to discuss any of these issues with you or your staff.

Sincerely,


Larry R. Meachum
Commissioner
1-7-93

LRM:lao



State of Connecticut

BOARD OF PAROLE

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January 11, 1993

Mr. Michael Nauer - Director
Legislative Program Review
and Investigations Committee
State Capitol - Room 506
Hartford, CT 06106

Dear Mr. Nauer:

On behalf of the members of the Connecticut Board of Parole, I would like to take this opportunity to express my support for the recommendations contained in this report. I would also like to commend the Program Review Committee's staff members associated with this report for the professionalism that they displayed during the development of these recommendations.

Following a review of your Committee's final draft report, along with discussions with members of this Board, it is suggested that Recommendation 2. be modified. Currently, all grants of parole are accomplished by an affirmative vote of at least two members of a three-member panel. These parole panels consist of one full-time and two part-time Board members. This citizen representation in parole decision-making is an integral part of our Board's history, and no doubt contributed to the re-introduction of parole release in Connecticut. Accordingly, the Board of Parole would prefer to retain this procedure for all grants of parole, whether decided upon following a hearing interview, or upon the recommendations of a hearing officer. This concern would be remedied by re-phrasing Recommendation 2. as follows:

2. The Board of Parole shall be given the statutory authority to develop and implement regulations for an administrative hearing and review procedure for recommending parole to eligible inmates without requiring an interview by a three-member panel. However, any such granting of parole must be accom-

Mr. Michael Nauer

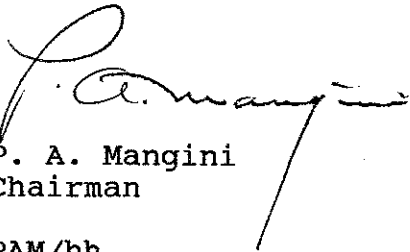
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plished by an affirmative vote of at least two members of a three-member panel. These parole panels shall consist of one full-time and two part-time Board members.

Please do not hesitate to contact me if I, or my staff, can be of any further assistance to you.

Sincerely,



P. A. Mangini
Chairman

PAM/hh